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The Procedure of the Scottish Exchequer in the early Sixteenth Century

ALTHOUGH Dunbar began a poem with the words
My Lordis of Chacker, pleis yow to heir
My compt, I sall it mak yow cleir¹

the Scottish Exchequer inspired little else in the way of literary activity and those who have to study its working cannot but regret the absence of anything comparable with the *Dialogus de Scaccario*. The only expositions of Exchequer procedure appear in some regulations and suggested reforms dating from the end of the sixteenth and the beginning of the seventeenth century, the most important of which, 'Proposalls anent the order of the Checker', was drawn up by Sir John Skene of Curriehill, Clerk Register, at James VI's command, shortly after the Union of the Crowns.² Skene was interested exclusively in the system as it existed at that time, but there is much in his proposals directly relevant to the system existing at an earlier date. While this study will draw upon Skene for illustrations of several points, it is concerned with Exchequer procedure in the reigns of James IV and James V, but with reference to developments at an earlier date. Particularly is it concerned almost entirely with the details of Exchequer procedure and it will seek to explain the technical terms which were employed. Without being unfair to the successive editors of *The Exchequer Rolls of Scotland*, one may perhaps point out that this is a task which they avoided, or, perhaps, the necessity of which they did not perceive. Yet, until it has

¹ *Poems of William Dunbar* (Scottish Text Soc.), No. 79.

² B. M. Harl. MS. 4612, ff. 52-56. I am indebted to Mr W. McNeill for drawing my attention to this manuscript. A copy in the National Library of Scotland is in the same hand as the Exchequer Act Book, 1634-9 (Adv. MS. 31.3.6).

been done, it is difficult to understand fully some of the historical material available in the printed texts or to study the effectiveness of the Exchequer's control over the royal finances.

The 'ordiner chekker',¹ or audit of the accounts of sheriffs and other receivers of crown revenue, was held in June, July or August. Although, in special circumstances, it might be held as late as the following spring,² the customary date was the more convenient, falling just after the Whitsunday term when the King's rents were collected. Its date, therefore, had to be fixed by the King and Lords of Council in April or May, in order to allow for the lawful warning of forty days. A proclamation of 1506 charged all the King's 'officiaris, liegis and subditis that aw compt in the said chekkir that thai comper before the Lordis Auditouris thair of' on 15 June 'witht continuacioun of dais to give compt, reknyn and payment of all dewitez awne of termes bigane sen thair last compt eftir the tenore of the preceptis to be direct thairapoun'.³ Originally, the precepts, or briefes of summons, were directed from chancery only to the sheriffs, who were responsible for warning other accountants within their sheriffdoms, 'all and sundry provosts and bailies of burghs and all others who owe compt to us . . . and especially the bailies of our demesne lands as well as the intromitters with other lands pertaining to us by reason of ward'.⁴ Between 1547 and 1588, however, the form of the briefe changed, so that each accountant received a separate summons; but it is not possible to fix the exact date at which this change took place.⁵ Similarly, while the issue of briefes for comparance on definite days within the period of the Exchequer suggests some sort of timetable of business, the first reference to the 'ordour of table' appears as late as 1592⁶ and the earliest surviving *tabula scaccarii*, and that only a copy, fully sixty years later.⁷ The *Tabula* of 1592 begins with the sheriff of Berwick and proceeds by way of the Borders to the south-west, Ayrshire, Dumbartonshire, Bute and Argyll, and back by Stirlingshire to the Lothians. Having

¹ *A.P.S.*, iii, 455.

² e.g. 1522, *Exchequer Rolls* (hereafter *E.R.*), xv, 432.

³ *MS. A.D.C.*, xviii, pt. i, f. 196. Except where otherwise stated all *MS.* sources are in the Scottish Record Office (*S.R.O.*).

⁴ Lord Forbes Coll., No. 1 (1438); *Yester Writs*, No. 180 (1477).

⁵ Morton Papers (*Exchequer Papers*).

⁶ *E.R.*, xvi, 550.

⁷ Copies in Nat. Lib. (*Adv. MS.*, 34.12.17, fols. 93-95) and in *S.R.O.* ('*Scottish Historical Miscellanies MS.*', pp. 263-4). The earliest original '*Tabula*' is of 1602 (*Exchequer, Petitions and Processes*, No. 27).

thus taken in all the sheriffdoms and lands south of Forth, it proceeds from Perthshire, Clackmannan, Kinross and Fife up the east coast to Banff, across to Inverness and concludes with Cromarty, Ross, Orkney and Shetland and the Isles. Collation of this order with the order and dates of the various accounts in the Exchequer rolls of 1592¹ reveals that the two hardly correspond at all. This point has further significance, but at present it is enough to say that it shows the futility of trying to reconstruct an earlier table from the evidence found in the Exchequer rolls.

From the summoning of accountants, we now turn to other arrangements for the Exchequer. About a week before its commencement, the Lords Auditors were appointed by commission under the quarter-seal.² As the Exchequer was not a permanent body or institution, and had to be called into existence for each audit,³ the Lords Auditors held office only for the period necessary to complete their task. They were drawn from the Lords of Council, especially from those holding or who had held financial office, including the Comptroller and the Treasurer. They were predominantly clerics. In 1441, there were nine Auditors, in 1471 thirteen, and in 1502 only ten (three of whom constituted a quorum).⁴ The commission of 1543 named twenty-four, the quorum to be five including the Comptroller. It is difficult to find evidence of actual attendances. In 1503, when there were probably ten Auditors, the sederunts in *Acta Dominorum Concilii* show seven Auditors present on four occasions and six on a fifth. In 1525 the average attendance was six out of twelve or thirteen.⁵ Besides the Comptroller, who acted as pursuer in some cases affecting the revenue and received money from accountants, and the Clerk Register, who was, *ex officio*, principal clerk of Exchequer, other Auditors performed special duties for which they received payment. In 1538, Adam Otterburn of Reidhall, James Kincragy, dean of Aberdeen, and Alexander Scott, provost of Corstorphine, shared £40 for 'dictating the rolls'.⁶

¹ *E.R.*, xxii.

² The earliest surviving commission was granted on 19 June 1543 for the Exchequer beginning on 26 June 1543 (Reg. Ho. Charters, No. 1319).

³ 'Conuentus annuus quem scaccarium vocant' (Buchanan, *Rerum Scotticarum Historia*, Bk. xviii, 1584 ed., p. 616).

⁴ *E.R.*, v, 108; viii, 1; xii, 1. ⁵ MS. *A.D.C.*, xiv, f. 170-3; xxxv, f. 135-49.

⁶ 'Pro eorum laboribus dictando rotulos' *E.R.*, xvii, 172. There was an Exchequer official in the seventeenth century with the title of 'dictator of the rolls' (*A.P.S.*, vi, pt. i, 419).

Like the Auditors, the clerks were withdrawn from other duties to serve in Exchequer. In 1508 they were 'the clerks of the household and of chancery writing the rolls in the Exchequer', but the later practice was to call upon the services of the clerks of session.¹ Several clerks were employed in 1441; but from 1446 there was only one, usually David Bell.² David Luthirdale, writer of the Exchequer rolls, is mentioned in 1466.³ By 1503 there were three clerks, one of whom, Henry Mair, had served since 1476. In 1511 he was described as *nunc in senium deductum*, but he survived to write in the Exchequer of 1518.⁴ George Gude served even longer, from 1508 to 1561.⁵ The work expanded to such an extent that by 1538 six clerks were necessary, with a corresponding increase in the expenditure on parchment.⁶ Certain other clerks, or *juvenes*, were employed in 'keeping' the rolls.

A chaplain of Exchequer appears in 1499; and in 1508 there is mention of minstrels (*histriones scaccarii*), whose wages in 1524 were paid with those of the officers who executed the commands of the Auditors.⁷ Apparently the Auditors and clerks lived well, for between 26 June and 26 July 1492 the Comptroller expended £125 on the Exchequer's expenses 'in bread, ale, wine, mutton, marts, capons, fowls, fish and "uncostis"', besides certain provisions supplied by the chamberlain of Fife.⁸ We hear of the Exchequer cook in 1500 and, in the previous year, of the kitchen, buttery and pantry of the Exchequer.⁹ The clerks received payment in 1517 *pro esculentis et poculentis*, but it seems that an attempt was made to cut down their perquisites for, in 1529, it was noted that Alexander Scott and George Gude 'used to have food and drink at supper as well as at midday, and now because they have no food and drink at supper' the Auditors had granted them four merks each.¹⁰ The Lords Auditors themselves seem to have received entertainment from the civic authorities of

¹ *E.R.*, xiii, 122; *A.P.S.*, iii, 43.

² *E.R.*, v, 93, 217, 586.

³ *E.R.*, vii, 431.

⁴ *E.R.*, viii, 383; xiii, 485; xiv, 357.

⁵ *E.R.*, xiii, 123, xix, 136.

⁶ *E.R.*, xvii, 172-3.

⁷ *E.R.*, xi, 260; xiii, 122; xv, 102. Thomas Fulhop was the Exchequer minstrel, c. 1396 to 1404, *E.R.*, iii, 403, 611.

⁸ *E.R.*, x, 378.

⁹ *E.R.*, x, 451; xi, 280.

¹⁰ *E.R.*, xvi, 536.

Edinburgh, shown by the expenditure of £2 'for the bankat maid to the Lords and Auditors of chekker' in 1553, and £3 6s. 2d. for a 'disiune maid to the Lords of Chekker' the following year.¹

By 1554 the Exchequer had been settled in Edinburgh almost continuously for half a century, but it still lacked permanent quarters there, which, indeed, it could not have so long as it remained in session for such short periods in the year. The 'chekker hous' was part of the 'place' of the Black Friars, rented annually for the audit, while private houses were taken to accommodate the Lords Auditors.² Despite Edinburgh's importance as the normal seat of government and administration in the sixteenth century, Edinburgh did not become one of the places for the holding of the Exchequer until as late as 1399. Skene's description of the Exchequer as 'ane certaine stable courte, and nocht deambulatoure',³ accords ill with its peripatetic nature in the fourteenth and fifteenth centuries. In the latter century, however, its movements were largely between Edinburgh, Linlithgow, Stirling and Perth. An adjournment to Aberdeen in 1453 brought it there for the first time for over fifty years, and also for the last time, though the memory of this and earlier visits was long preserved in the street name 'Chaker Rawe'.⁴ Perth ceased to be a place of audit after 1490, but it appears that the accounts of the bailies of Inverness were rendered at Inverness in 1492 and 1499.⁵ Nearly all the accounts rendered at Falkland in the early years of James III's reign were of the revenues of the dowager queen's jointure lands.⁶ After 1505 the migrations from Edinburgh ceased except for an adjournment to Stirling in 1528 and another to Linlithgow in 1530 'for eschewing of the pestelence now regnand in Edinburgh'.⁷

The Exchequer records, stored for most of the year in the register house in Edinburgh Castle, were brought out to accompany the Auditors on their travels. In 1504, payment

¹ *Edinburgh Records, Burgh Accounts*, i, 77, 110.

² *E.R.*, xii, 113; xiii, 122.

³ *De Verborum Significatione*, s.v. 'Scaecarium'.

⁴ *E.R.*, iii, 558; v, 558, 566; Reg. Ho. Charters Nos. 570, 1072 etc. The Exchequer was not at Aberdeen in 1501; in *Acta Dominorum Concilii* (Stair Soc.), p. 92, 'Aberdeen' is an unaccountable misreading for Edinburgh.

⁵ *E.R.*, x, 370; xi, 239.

⁶ *E.R.*, vii, *passim*.

⁷ *E.R.*, xv, p. lv; xvi, p. xxxviii; *Acts of the Lords of Council in Public Affairs* (A.D.C., iii), 332.

was made for 'the carriage of the Exchequer rolls from Edinburgh to Linlithgow and thereafter from Linlithgow to Stirling in great carts'.¹ Since even the old rolls of David II's time might be consulted in the Exchequer² and at other times by the royal officials or interested parties, some care was taken for their preservation and safe-keeping. In 1509, a chest was purchased for the rolls and books of the Exchequer, and another for the household books, and in 1535 two 'gardeviances' for the rolls.³ Payments were also made to those responsible for keeping (*custodientes*) the rolls. The Comptroller's account of 1522 mentions 'the usher of Exchequer and two young men (*juvenes*) remaining continuously upon the said Exchequer keeping the door and the chest of rolls'.⁴

By the sixteenth century the hereditary office of usher of Exchequer was already of considerable antiquity. In 1362 David II had granted anew to William, usher of his 'chapel' (*capella*), the fees due to him by right and custom, his ancestors' charters having been destroyed. At the Exchequer (*ad scaccarium*) he was to receive 2s. from each sheriff and 12d. from each bailie (of burgh) and custumar rendering account, and he was also to be entitled to 40s. for his gown, the reckoning board (*scaccarium compoti*) and its cover, together with the benches and stools (*formulis et scamnis mobilibus*) in the Exchequer house.⁵ In practice the usher took an annual payment in lieu of the furniture, an arrangement which suited all concerned.⁶ There is little direct evidence of the fees levied from accountants in the sixteenth century, but in 1553 the bailies of Edinburgh paid 2s. to the 'kepar of the duir'.⁷ While it is not possible to give here a full account of the history of the office, which existed until as recently as 1845, a significant change in its title should be noted. Originally the usher was usher of the 'chapel' (i.e. Chancery), with certain functions in Exchequer. But in 1509 Gilbert Vaus was retoured as heir to his grandfather in the office of usher of the Exchequer or 'chapel' (*de officio Hostiarie Skacarii siue Capelle Suppremi Domini Nostri Regis*),⁸ and when, in 1565, that office passed

¹ *E.R.*, xii, 201.

² *E.R.*, xi, 384.

³ *E.R.*, xiii, 260; xvi, 352.

⁴ *E.R.*, xiv, 467.

⁵ *Hist. MSS. Com. 14th Rep.*, App. 3, pp. 26-27.

⁶ *E.R.*, xi, 248; xiv, 222; xv, 97.

⁷ *Edinburgh Records, Burgh Accounts*, i, 77.

⁸ *Collections for History of Aberdeen and Banff* (Spalding Club), 290.

from the Vaus family to the Bellendens, who held it until 1800, it was described simply as 'the office of keeping the door or entrance of the Exchequer House'.¹ Its connection with Chancery was severed completely. It is evident that from the end of the fifteenth century, if not earlier, it was exercised by deputy.²

Little is known of the furnishing of the Exchequer house. There were the table, with its cover of green cloth, and benches and stools for the Auditors and clerks. In 1466, the customars of Linlithgow provided five planks for the Exchequer table, and four ells of green cloth for its cover, as well as three 'dozen' of parchment and three quires of paper for the accounts.³ Expenditure on parchment, paper, ink and wax formed a regular item in the Comptroller's accounts. The Comptroller also provided the counters required for the abacus, which presumably functioned on the same lines as that used in the English Exchequer.⁴

It would be wrong, however, to look for any close analogy between the practices of the English and the Scottish Exchequers. There was no preliminary rendering of accounts corresponding to the 'view' at Easter in England. Two small qualifications must be made to this general statement. Firstly, there is a reference to the *supervisio* of the account of the steward of Menteith rendered in January 1498/9,⁵ which suggests some preliminary examination of accounts before the ordinary Exchequer. One other reference can be found to an account rendered in January 1498/9, and there are references to accounts rendered in January 1501/2 and February 1502/3, none of which, however uses the word *supervisio*.⁶ Similarly, the earliest surviving customs book of Aberdeen, beginning on 15 July 1499, was examined at Aberdeen on 1 October of the same year.⁷ Secondly, there are a number of references to *supervisiones* of the Comptroller's accounts, but these date from James III's reign, and from the minority of James V, when the royal finances were in such confusion that it was not possible

¹ R.M.S., iv, 1634.

² E.R., ix, 342; R.M.S., ii, 2344.

³ E.R., vii, 429.

⁴ *Dialogus de Scaccario* (ed. C. Johnson, 1950), xxxv-xxxvii.

⁵ E.R., xi, 361*.

⁶ E.R., xi, 327; xii, 35, 207. The Comptroller was given allowance for his expenses in the examination of accounts in February and March 1502-3. (E.R., xii, 185).

⁷ Exchequer, Customs Bks., 1/1.

for the Comptroller to render a full account annually. In this instance the *supervisiones* were interim accounts in preparation for the full and final accounts at a later date.¹ They are not relevant to the practice of the ordinary Exchequer, because the Comptroller's account was audited by commissioners specially appointed for the purpose.

Again, in contrast with England, there was no lower Exchequer, and the Scottish Exchequer was only an Exchequer of account. The payments made 'upon compt' or 'upon the Exchequer table'² were to the Treasurer or Comptroller, who 'acknowledged receipt upon compt' during the audit of the account in question. Although chamberlains and others were required to pay the King's rents twice a year 'at ilk terme or within a moneth thareftir',³ such payments were the concern, not of the Exchequer, but of the Comptroller. Again, Scottish practice was much more lax in respect of attendance, and the statutory requirement that accountants should 'compere yerelie in the chekker be thame selfis or thair sufficient deputis', did not prevent irregular attendance or the employment of agents.⁴

On the appointed days, the accountants compeared to 'enter' their accounts, failing which they incurred the Exchequer amercement or unlaw of £10. After compearance, several days might elapse before the account was 'ended' and the accountant discharged. A comparison of the *tabula scaccarii* of 1592 with the Exchequer rolls shows that the latter date ('ended') was regarded as that of the account, although occasionally payments *post comptum*, between then and the close of the Exchequer, were allowed and entered in the rolls.⁵ Such payments confirm the evidence provided by digressions from strict chronological order in the accounts entered on the rolls and show that the rolls were prepared from drafts or scrolls which were enrolled at a later stage. In 1530, the Auditors 'supercedit the rolling of the custume comptis of

¹ *E.R.*, ix, 303, 338, 457; xiv, 3, 29, 90, 126-7.

² *E.R.*, xi, 219.

³ *A.D.C.*, iii, 207.

⁴ *A.P.S.*, ii, 347, 372; see *E.R.*, xi, 296 for an authorisation to account through an agent. Skene suggested that all accounts should be made personally by those who were 'comptabill', and that they should 'send na boyis, agents or servants to men of law or writers to make their comptis in their name'. (*Proposals*, loc. cit., f. 56).

⁵ *E.R.*, x, 281; xii, 301. In 1454, Robert Watson, mair and receiver of the lordships of Methven, Apnadull etc., died in the interval between entering and ending his account (*E.R.*, v, 652).

Hadingtoun', because the custumar would not account for certain types of skins.¹ The numerous scroll accounts which have survived from the seventeenth century help to throw light on earlier practice.² The discharge or copy given to the accountant was called his '*equ*' a name derived from the words '*Et sic equ*' ending an account in which the charge and discharge were equal. An accountant who had thus paid or discharged himself of all that was charged against him was said to 'make *equ* in the rolls'.³

On occasion, if the accountant was unable to pay cash, he was allowed to obtain his discharge by granting a bond to the King or, more often, to the Comptroller or the Treasurer, who thereby accepted liability for the sum in question and 'tuke the sammyn apown him as payment'.⁴ Those who failed to make payment or to 'end' their accounts were liable to penalties similar to those imposed on absentees. A proclamation made at Edinburgh on 15 July 1503 complained that 'the auditouris of our chekker has remanit and sittin in this tounne attoure the latter day of the chekker apoun the comptis of chaumerlanis, schireffis, custumaris, bailyes of burrowis and stewartis, malaris, fermoraris and all utheris officiaris that aw compt to our chekker, nevertheless the maste part of the said officiaris that aucht compt ar nocht comperit and ane other part comperit and has past away unendit the comptis and comptemprandly has dissobeyit'. The latter were charged to 'red and end' their accounts, and the former to 'comperre and enter the said comptis and mak finaly red and payment of the sammyn' under pain of loss of their offices and tacks and apprising of their goods and lands for the sums due by them. On 21 July those who had failed to obey the proclamation and others who 'war summond be letters under the signet for auld restis' were decreed to have incurred these penalties, though it does not appear that they were enforced.⁵

In most cases those who failed to compare were either sheriffs or bailies of burghs. The burgh of Cullen rendered no account from 1343 to 1496. Kintore and Fyvie, both of which had ceased to account in 1332, were decayed and their burgh maills had been mediatised, the two most common explanations

¹ *E.R.*, xvi, 526.

² Exchequer, *Equ*es and draft accounts.

³ *E.R.*, xv, 49; xvi, 429, 459, 511.

⁴ *E.R.*, x, 179, 280, 359, 509; *MS. A.D.C.*, xiv, f. 186.

⁵ *MS. A.D.C.*, xiv, ff. 177, 180.

for such failure.¹ The smaller burghs found attendance at the Exchequer an expensive burden. In 1554 it cost Peebles 4s. in fees to the clerks and usher, and 10s. as the expenses of the provost, bailies and treasurer 'for fowre dayis bydin in Edinburgh that the schecker'.² A place such as Kirkcudbright, from which the King drew nothing because James II had granted the whole burgh maills to the Friars, must have regarded the journey to Edinburgh as quite unnecessary. In practice some burghs employed the Exchequer clerks as agents to present their accounts; we find George Gude rendering Ayr's account for many years.³ But the unlaw incurred by those who did not compear was often remitted on some excuse, such as infirmity or absence in the King's service, or even with no reason stated at all.⁴ In 1524 the bailies of Peebles were excused, 'because at the time they ought to have compeared they were in pursuit of their goods which had been stolen by robbers', an excuse which was good enough to be used again the following year.⁵ Less fortunate, the bailies of Irvine owed £30 in 1487 for three unlaws, of which sum half was remitted, and the other half 'spent by the Auditors on drink'.⁶ The leniency shown towards the burghs could not be denied to the more powerful and far more recalcitrant sheriffs. Between 1528 and 1583, the earls of Argyll rendered no accounts whatsoever as hereditary sheriffs of Argyll, without incurring either penalty or reproof.⁷ Skene saw clearly the great danger of leniency in this connection, 'because whair thair is na punishment thair followes na obedience'.⁸

Little has been said so far about the actual procedure in auditing the accounts, because little is known. There is nothing to set beside the descriptions of the English Exchequer at work, except Dunbar's assurance to the 'Lords of Chacker' that normal procedure was unnecessary for auditing his account:

¹ *E.R.*, xi, 384. When the burgh maills and small customs of Selkirk were granted by James IV to James Murray of Falahill on 17 September 1506, he was made responsible for presenting the bailies' account in Exchequer. (*E.R.*, xv, 81.)

² Peebles Burgh Records (S.R.O.), Accounts, 1554, p. 10.

³ *E.R.*, xvii, 52, 65, 189, 307, 398 etc.

⁴ *E.R.*, xi, 383; xvii, 396.

⁵ *E.R.*, xv, 70, 188.

⁶ 'In bibalibus' (*E.R.*, ix, 550).

⁷ Exchequer, *Eques*, No. 8. Note, however, that in 1540 the goods of the sheriff of Ayr were poinded for the unlaw of £10 incurred for failure to account on the day 'affixt' to him. (MS. *A.D.C.* and *S.*, xiii, f. 202).

⁸ Proposals, loc. cit., f. 54r.

For rekkyning of my rentis and rounes,
 Ye neid nocht for to tyre your thowmes;
 Na, for to gar your countaris clink,
 Nor paper for to spend, nor ink,
 In the ressaveing of my soumes.

As Dunbar does not take matters very far it is necessary to discover what can be revealed by a study of the structure of the accounts in the Exchequer rolls. Originally there were two rolls for the ordinary Exchequer, one for the accounts of the sheriffs, the other for the accounts of the customars and bailies of burghs.¹ A third roll was added in 1434 for the accounts of the King's property and ward lands rendered by *ballivi ad extra*, who 'ar improperly called *ballivi*', according to Skene, 'being Chalmerlanes input, and out-put be the Comp-troller'.² The growth of the royal estates under James II and his successors increased the number of accounts to be enrolled to such an extent that in the last years of James V's reign it was necessary to have two rolls, for the property north of and south of the Forth respectively. Each Exchequer roll was headed by the date and place of the commencement of the Exchequer and a list of the Auditors, although in many instances some or all of these particulars were omitted. The accounts, which, as we have seen, were not necessarily enrolled in chronological order, were introduced by the name of the accountant, the capacity in which he was accounting, and whether he himself or a representative rendered the account and the date and place at which it was rendered. The accounts themselves were made up of the following sections: the arrears of the last account (if any); the charge (*oneracio*), sometimes subdivided into particular items (*oneres*); the total charge with and without the arrears; and the discharge (*expense*). In the shorter accounts, no distinction was made between charges and allowances in kind and those in cash, but in the longer accounts these were taken separately. At the 'foot' (*in pede compoti*) was a statement of the final balance due by or to the accountant or the words '*Et sic eque*'. Sums

¹ This appears in the texts as printed. An examination of a number of original rolls has revealed interesting points, bearing on the manner in which they were drawn up, but these require more detailed discussion than is possible in the present article. Similarly scribal errors and errors of calculation must await fuller treatment. (*E.R.*, viii, 525; x, 162, 179, 362, 507, 539; xi, 335; xii, 108, 115, 149.)

² *De Verborum Significatione*, s.v. 'Ballivus'.

remaining due by an accountant were called 'rests', those due to him 'superexpenses'; in the latter case he was said to be 'superexpended'.

It is necessary to stress that the accounts were based on charges and allowances, not on receipts and payments. While this is obvious in the cases of the burghs, which were charged with their burgh maills due to the King each year, and also in the case of feuars or lessees of crown lands accounting directly for the feu or tack duty which they owed, it is no less true of all the accountants. In very few cases can the charge be equated with actual receipts, and in some cases it bears no relation to the receipts whatsoever—a vital fact which must be remembered when considering any estimate of royal revenue based on the Exchequer rolls. The framers of the accounts were not interested in actual receipts, but in the individual accountants' liability towards the King in respect of office, lease or feu, for, apart from the bailies of burghs, they were personally liable for all sums arising or falling due during the period of their intromission, irrespective of whether such sums had been collected. Thus in 1517, Andrew Wardrop, chamberlain of Kinclaven, brought an action against certain of the King's tenants, because he was 'chargit in his comptis with divers sounes of money and martis for mailis and dewiteis of oure said soverane lordis landis and lordschip of Kinclavin, Apnadull, Discher and Toyer, restand apon his heid', and the tenants and inhabitants would 'mak na payment thair of without thai be compellit'.¹ Again, in 1504, the sheriff of Wigtown was ordered to distrain the sureties he had taken for payment of the relief of certain lands, 'and gif he tuke na souertez . . . in contrare the forme of the precept direct to him thairapoun that he stand dettour be himself for the principale soume to the King becaus of his negligence'.² The accountant's liability continued, after demission of his office or lease, in respect of all unpaid arrears, and transmitted against his heirs and executors after his death, from which it followed that he was not liable for his predecessors' arrears unless specifically charged to collect them.³ It also followed that a principal was liable for the intromissions of his subordinates. Alexander Bannerman of Wattertoun, sheriff depute of Aberdeen, received casualties and entered the sheriff's account in Exchequer on 16 August

¹ MS. *A.D.C.*, xxx, f. 163.

² MS. *A.D.C.*, xv, f. 202.

³ *E.R.*, vii, 321; viii, 554; xi, 95; xii, 67; xvii, 256.

1502. Nevertheless it was necessary for the earl of Crawford, sheriff principal, to bring an action against him for relief at the King's hands in respect of £880 resting in the rolls. He had prudently taken a bond of relief from Bannerman, which he produced.¹ Similarly a sheriff depute of Berwick sought relief from the sheriff officers in respect of sums which they had received.²

In practice the rigours of this system were reduced by the exercise of discretion on the part of the King and the Auditors. James V remitted all sums due by William, earl of Errol, and his father 'for the restis and comptis be ressonne of thar office of schirefschip of Aberdene', in respect of which the Auditors allowed £48 18s. in the account rendered by the earl in 1518.³ In 1510, the chamberlain of Kintyre cleared off the arrears of his last account, amounting to £76 7s. 6d. and 50 marts, by compounding with the Comptroller and Auditors for payment of 100 merks.⁴ This readiness to accept compositions and to write off bad debts ensured that the accounts were kept clear of items for which the King could not expect to receive payment. It is unusual to find any arrears remaining on the rolls for more than ten years, although £30 remained charged against the bailies of Edinburgh 'for three pledges of recent deforcements' for half a century.⁵ A few years later certain old arrears were allowed in Aberdeen's account, 'because the Comptroller acknowledges himself paid of all things pertaining to the King and similarly the executors and assignees of the said Duke [of Montrose] and all other pensioners to whom any sums are due out of the said maills'.⁶

Occasionally, sums appear in the rolls as *non-operationes* (*Et non onerat se*) or *pendencie*, for which the accountant was not required to answer. The former class comprised sums for which he could not be made answerable, for instance because they had been received by someone else⁷ or because he had not been ordered to uplift them⁸; the latter sums not chargeable for the time being, but which might be found to be chargeable at a later date. Thus in the account of the chamberlain of Moray, 1486: 'And of Craigmyle, where there is no mill,

¹ MS. A.D.C., xiv, f. 158.

² MS. A.D.C. & S., xvi, f. 143.

³ Errol Charters, No. 289.

⁴ E.R., xiii, 320.

⁵ E.R., xii, 384. The Scottish Exchequer had no counterpart to the English exannual roll.

⁶ E.R., xiii, 245.

⁷ E.R., ix, 9.

E.R., x, 176.

although there was formerly a mill there, nor is there any land pertaining thereto of any value, as the accountant asserts, there is depending of the year of this account 6s. 8d.¹ Similarly the rents of the lands of Castlemaddy, the ownership of which was disputed between the crown and the Griersons of Dalton from 1455 until the question was settled by compromise in 1534, appeared as *pendencie* in the accounts of the chamberlain of Galloway.²

Allowances were made in the discharge (or *expense*) of accounts to bring the accountant's liability into line with the amount he could reasonably be expected to collect, by deduction of sums charged *superflue*. But unless the Auditors scrutinised such allowances carefully, they tended to continue from year to year, even after the original reason for them had been forgotten. Skene recommended 'that all articles of compts *superflue* chargeit where the King has no profite be discharged or delet or that the Clerk of the Register tack inquisition be the auld Rollis and Comptis how and wherefore sick articles being once allowit in compt and taken up to the Kings use are now made improfitable to the King. And the cause being found nocht reasonable that they in time comeing be comptit and the Kingis profite taken up notwithstanding any consuetude in the contrair observit in tyme bygane.'³ The reason will become apparent from the manner in which the charges against the accountants were drawn up and adjusted.

The first class of accountants presents little difficulty, namely those liable in a fixed sum in terms of a charter or lease, and comprising the bailies of burghs accounting for the burgh maills, feuars and tacksmen of crown lands and tacksmen of the great customs. To all of these allowance for '*superflue oneratio*' was given rarely, if ever. The second class comprised those charged *per rotulos*, that is, 'quhen the Compter is charged in his compt, conforme to ane former compt rolled of before'⁴—namely the sheriffs in respect of castlewards, blench fermes and 'rents of assize',⁵ and the chamberlains of crown lands in respect of rents. The two classes have this in common—that a detailed statement of the charge was not enrolled each

¹ *E.R.*, ix, 364.

² *E.R.*, xi, 337; xvi, 339.

³ Proposals, loc. cit., f. 53r-v.

⁴ *De Verborum Significatione*, s.v. 'Ballivus'.

⁵ '*Redditus assize*', annual payments due from certain lands held 'by service of ward and relief', for which there was normally no money *reddendo*.

year but at intervals of ten years or longer, while at other times only the total was entered, with a note of the year in which a detailed statement appeared. Since the amount did not vary from year to year, it was possible, although very unusual, for an accountant to be charged with that sum in the Exchequer in his absence.¹ It is obvious that the sums which the sheriff was required to collect from crown vassals would not alter from year to year, but more difficult to understand why the rent payable by crown tenants to the chamberlains did not vary. The reason is that the charge took no account of fluctuations, but only of permanent adjustments, such as the general 'highting' of rents in the latter half of James IV's reign and the 'augmentation' resulting from feuing under James V.² In fact, the crown rentals show two sums for each lease, one being the value or 'just price' of the lands and the other the actual rent, usually the same (in which case the second sum is represented by the words '*ut in margine*'). If the commissioners setting the lands fixed a rent lower than the value, or if the King himself granted a lease under the privy seal at a reduced rent, the chamberlain received an allowance of the difference, being the amount with which he was charged *superflue*. The rents of lands occupied by the King's own beasts and crops were also deducted from the amount charged against the chamberlain.³ Similarly an allowance was given for the rent of lands lying waste, that is untenanted, although it was necessary to prevent this concession being abused. On 7 August 1526 the Auditors ordained the chamberlain of Galloway 'to pund and distrenze yerlie and termlic for the malis of the landis quhilk he allegis waist, with certificatioun to him that na allowance salbe maid in tyme to cum for na waist landis within the said lordschip'.⁴ Waste is also found in a more permanent sense, an example of which is provided by the lands of Balcarres in Fife 'laid waste by the wars between the lairds of Ardros and Kelly'.⁵ The allowances given *propter sterilitatem* were of like nature: the chamberlain of Fife was allowed the rents of the meadow of Auchtermuchty 'on account of the barrenness of the said meadow, in that no hay grew upon it',⁶ and Burnhouse appears in the rental, 'paying 13s. 4d. formerly but now on account of the barrenness of the lands,

¹ E.R., xi, 108.

² E.R., vi, 455, 646.

³ E.R., ix, 513.

⁴ E.R., xv, 342.

⁵ E.R., xv, 653.

⁶ E.R., xiv, 7.

because they are covered by the sands and desert, they give nothing at all at the present time'.¹ Again, the excuse of barrenness was open to abuse, and Skene adjudged that 'all rentalls given down or diminished in the Checquer *propter sterilitatem agri* be raised up again after the sight and inspection of the ground be sick as should be depute commissioners to that effect'.²

When lands were let to crown tenants, the chamberlains were charged with grassums and entries according to the extract of the rental sent to them, unless these were paid directly to the Comptroller. This leads us to the second type of charge, that based on records of other parts of the royal administration. Until the chamberlain ayre fell into desuetude, the burghs were charged with its issues according to extracts, or estreats, but the remaining examples to be considered all relate to the sheriffs' accounts. The sheriffs were charged according to estreats for the amercements of the justice ayre and the chamberlain ayre, in so far as the latter affected persons dwelling outside burghs. On producing the estreat in Exchequer, in obedience to the command in the brieve of summons, the sheriff could claim the sums which he had paid for the expenses of the ayre and he was allowed or defeated for the amercements of those dwelling outside his sheriffdom, if he could persuade the sheriff concerned to accept his indenture, thus assuming liability for the sums in question. In 1501 the sheriff of Dumfries was charged with 100 merks 'by the indenture of the sheriff of Lanark sent to him by command of the Auditors, although he refused to receive it',³ and in 1527 the sheriff of Perth was ordered 'to indent with the steward of Stratherne apoun certane persounis gevin in bill, unlawit in the justice aire'.⁴ In respect of the casualties payable to the crown on the entry of heirs of crown vassals, the sheriff did not receive an estreat, but the precepts of sasine from chancery directed him to take surety for what was due in respect of ward or non-entry and relief, or of doubling of feu or blench duty. The precept for infefting Matthew Stewart, as heir of John, earl of Lennox, in 1532, required the sheriff-depute of Dumbarton to take surety for payment of £8,200 for ward, £1,640 for non-entry and a further £1,640 for relief.⁵ A

¹ *E.R.*, xvi, 501.

² *Proposals*, loc. cit., f. 53v.

³ *E.R.*, xi, 314.

⁴ *MS. A.D.C.*, xxxvii, f. 179.

⁵ *Fraser, Cartulary of Colquhoun*, 419.

note of each precept was made in the Responde Book (*Liber Responsionum*) kept in chancery, which was transmitted to Exchequer each year to be charged against the sheriffs.¹ By earlier practice the sheriff received the rents of lands in ward or non-entry termly for so long as they were in the King's hands, but it became rare for the King to take over the administration of estates in this way, except in the case of important vassals, such as the earl of Errol, when special receivers were appointed who accounted with the *ballivi ad extra*.² However, the sheriff was not responsible for the casualties until the precept of sasine was sent to him, and he could still claim relief if he had not executed it: 'Be us of the chekkyr the schiref takis never on him to answer for bot defasis him *per sasinam non datam* onto the tyme the sesing be gevin and then he ansueris for nonentres and relefe.'³ Of course, if the lands had been managed by the King's receivers during ward or non-entry, the sheriff received allowance of the ward or non-entry: thus, when sasine was given of half of the earldom of Lennox, in 1473, the sheriff was commanded to 'certify the Auditors of our Exchequer if the rents of the said chief messuage and half of the said earldom with the pertinents, being in our hands for the space of 48 years, have come to our use'.⁴ More often the casualties had been gifted already to the vassals, or to a third party, on payment of a composition to the Treasurer. In such a case the sheriff borrowed the letters of gift, or the Treasurer's receipt, from the vassal and produced it in Exchequer, where it was marked with the sum allowed in his account.⁵

When it is considered that the same procedure was followed for defeasing the sheriff of amercements of the justice ayre, where the party concerned had compounded for a remission, it will be seen that the sums charged in the sheriffs' accounts are quite misleading for any estimate of the crown revenue. Although the account of the sheriff of Forfar in 1535 ended with 'and so there rest £15,822 11s. 8d. silver, 500 chalders

¹ On the flyleaf of *Liber Responsionum*, 1610-23, is the following:

This buik can tell tales
Quhen schireffis faultis and failes.

² *E.R.*, vi, 175; xvii, 93.

³ *MS. A.D.C.*, xxxviii, 144. The precept was brought to the sheriff by the vassal seeking infettment, to whom it was given back after execution.

⁴ *Fraser, Lennox*, ii, No. 66.

⁵ *Rose of Kilravock* (Spalding Club), 172, 191-2.

of victual and 48 sparrow hawks', the actual money involved was probably negligible, and all that can be inferred is that the sheriff had been dilatory in producing the relevant remissions and gifts of casualties.¹ The '48 sparrow hawks' raise a question better considered at a later stage.

The sheriffs were also charged with the issues of their court, according to the court book, which they were supposed to bring with them. And this introduces the question of charges in the rolls based on records kept locally. The earliest surviving sheriff court book of Linlithgow, now in the Register House, bears a note of its production on 20 August 1555 and on two subsequent occasions. For the rest there is abundant evidence that the sheriffs consistently avoided this duty. The sheriffs' accounts of 1555 show that very few court books were produced, and that the auditors in most cases ordered the books to be brought to the next Exchequer, under penalty of £10.² In lieu of the actual issues of court, the sheriffs in that year paid compositions of from £2 to £8, and by the seventeenth century the practice of compounding had become so fixed that the 'book' of each sheriffdom was assessed at a fixed annual sum.³

More important than the sheriff court books were the customs books, containing detailed statements of each consignment of customable goods exported and of English goods imported. The custumar at each port drew up this statement on the basis of his 'entry book' or record of the cargoes of ships leaving his port. When produced in Exchequer, it was compared with a similar statement lodged by the clerk of cocket,⁴ or, in the case of the Edinburgh wool customs, by the tronar. The Exchequer clerks then totalled up the amount of each commodity, assessed the gross custom at the rates in force, and added up the whole to show the total sum for which the custumar had to answer. Since this was a gross figure, the custumar then claimed deductions for goods which had passed custom free, namely the King's own goods (whether exported by him or sold to merchants), certain goods which were permanently exempt (for instance the annual allowance of fifty sacks of wool to Melrose Abbey), and lastly the goods of

¹ Exchequer, *Eques*, No. 1.

² Exchequer, *Eques*, No. 1.

³ Purves, *Revenue of the Scottish Crown 1681* (ed. D. Murray Rose), *passim*.

⁴ *E.R.*, xv, 666.

merchants and others granted temporary exemption.¹ Allowance might also be given for goods already customed at another port, for which cockets had been presented to the customar, which he also produced in Exchequer.² In the case of the larger ports, notably Edinburgh and Dundee, where much transshipment took place, such goods were omitted from the customs books and therefore from the accounts also. A separate record of them was presented, which was probably necessary because the fees allowed to the customar and tronar were based on a gross charge and on the wool customs respectively.

Customars of smaller ports, where no goods had been customed during the year, declared the fact upon oath. A similar declaration was made by sheriffs who claimed that no escheats or issues of court had arisen³—a statement found so frequently that one is doubtful whether to blame the dishonesty of the sheriffs or the credulity of the Auditors. Declaration on oath, the last method of charging accountants, is also found in cases where the record was defective or where none was produced. It may be presumed that the accountant gave his oath as to the verity of his whole account, but there is no certain proof of this.⁴

As mentioned earlier, the accounts contained payments in kind, as well as in money, particularly those made by the tenants or feuars of the crown lands, with the result that the chamberlains and other *ballivi ad extra* answered for marts, sheep and grain in Exchequer. Such renders were often applied to the provisioning of the royal household, but at other times they were sold. 'Sale' (*venditio*) has a dual meaning in Exchequer practice: it covered either the actual selling of commodities or commutation, namely a fictitious sale by which an accountant's liability in kind was commuted for a payment in money; and commutation could also mean the substitution of one commodity for another.⁵ In the account of the granges of Dunbar, 1507, there is a memorandum, 'that the victuals of corn and bear with the rabbits of Dunbar are commuted into money by the King's special command by his letters subscribed with his hand and are sold to the accountant for 55 merks to

¹ E.R., xiii, 97; A.P.S., i, 523, 580; R.S.S., i, 1466, 1494 et al.

² E.R., xiii, 362.

³ E.R., v, 128; xi, 307*.

⁴ *De Verborum Significatione*, s.v. 'Schireff'.

⁵ E.R., ix, 95; x, 212 (*per vendecionem seu comutacionem*); xii, 240.

be paid yearly to the Comptroller . . . and this commutation was made by consideration of the Lords Auditors of Exchequer, on the command abovementioned'.¹ In most cases the price at which the dues were sold represented their actual market value, in which the early development of the Exchequer fiars may be discerned²; but once again usage unfavourable to the crown might creep in. The effect of rising prices is shown by the attempt of the chamberlain of Strathearn to ensure that the marts due from that lordship were always sold to him on very favourable terms. In 1527 he paid at the rate of 15s. per mart, but he was commanded 'to bring in and levy the marts of the said lordship for the expenses of the King and his household under pain of payment of 40s. for each mart'.³ Four years later he was made to pay double the old rate, 'for although marts used to be sold to compters and farmers of lands for 15s., they are now sold for 30s., because whereas the King used to buy his marts for 20s. on the hoof (*super pedes*) now he gives 40s. or at least 30s. for them, wherefore it was ordained that those who owe marts to the King for their lands and lordships shall be obliged to pay 30s.'. ⁴ There is an echo of this in Skene's indignant protest against those who sought to commute victual and other dues at the 'King's price': 'for the Kings prices whilk is ay lesse than the common prices should be respectit when the King byes any thing fra his subjectis and nocht when he for an price sells and disponis his guidis pertaining to him to ony of his subjectis or forrein persons'.⁵ Sale and commutation took place between the crown and its tenants⁶ as well as between the Crown and its chamberlains, and also in respect of blench farms. The more exotic blenches were due 'if asked for only', so that in practice the sheriff only accounted for the duplicand (double payment) when he had given sasine to an heir, but even the silver pennies, sparrowhawks and broad arrow-heads due annually were commuted for current coin.⁷

¹ *E.R.*, xii, 559.

² *E.R.*, xvi, 272. The Exchequer fiars are the prices at which payments due to the crown in kind (grain etc.) are converted to money. They are based on returns of the prices fixed by the 'fiars' courts' in each sheriffdom, from which a small deduction, known as the 'Queen's (or King's) Ease' is made. The first extant list of Exchequer fiars appears to be that for 1611. (*Liber Responsionum*, 1610-23, f. 16.)

³ *E.R.*, xv, 311.

⁴ *E.R.*, xvi, 106.

⁵ *Proposals*, loc. cit., f. 52v.

⁶ *E.R.*, xi, 337; xv, 208, 352.

⁷ Cosmo Innes prints from the Exchequer records a table of valuations of blench farms in 1596 (*Scotch Legal Antiquities*, 65-66.)

This treatment of sums charged *superflue*, and of commutation or sale, has covered a large section of the discharge or *expense* of the Exchequer accounts. But before coming to allowances for actual payment it is necessary to deal with a further class of deductions, namely sums defeated to the accountant because he had been forbidden to uplift them, notably grants of pension which permitted the beneficiary to retain rent in his own hands or to uplift payments due to the crown.¹ One may recall the magnanimous words of the King to the herald, Diligence, in Lindsay's *Three Estates*:

Thou sall have yearly for thy hire
The teind mussels of the Ferry-mire
Confirmit in Parliament.

Diligence had justifiable doubts about the value of his grant, and no doubt would have been better pleased with a pension payable in cash. Such payments had to be vouched for in Exchequer by production of a precept and a receipt. As usual, having stated the rule, it is necessary to add qualifications and exceptions. Certain long-standing payments and deductions were classed as 'ordinaries' (*ordinaria*)² and, unless challenged, required no other warrant than previous appearance '*in antiquis rotulis*', a term which was applied very liberally. Such, for example, were the annuals paid to Friars and other religious foundations, and certain hereditary pensions and sums assigned to the keepers and other persons connected with royal castles and palaces. Skene recommended 'that na allowance be admittit as has been in time bygane for keeping the decayed castells in the Hiellands na wayes profitable to the King sick as Rothesay and others',³ and earlier abuses in such payments are illustrated in the order of the Lords of Exchequer to Ninian Stewart, sheriff and chamberlain of Bute, on 7 November 1520, to cease payment to one, Hunter, 'for the keping of the dais in Cumray, or to Reid for keping of the forest of Bute, becaus the saidis personis dois na service thairfore, with certificatioun that gif he dois in the contrar na allowance salbe gevin thairof in tyme to cum in the chakker'.⁴ Pensions and other payments for life, or for a term of years, required the King's warrant under the great seal or privy seal, which usually contained a precept to the Auditors to allow the sum in the relevant

¹ *E.R.*, xi, 296; xiii, 279.

² Proposals, loc. cit., f. 56.

³ *E.R.*, xiv, 385; xv, 382.

⁴ *E.R.*, xiv, 608.

account, although examples are to be found of a separate warrant for allowance.¹ Such grants were produced before the Auditors once only, and were marked by the clerk as being allowed, after which they continued in force until brought to an end by the King's general or special revocation. Some are found registered in the Exchequer rolls in terms of a warrant to that effect contained in them.² Individual payments were attended with much less formality: the King's letter under his signet and subscription, or a precept under the hand of Treasurer, Comptroller or other competent person, was sufficient, nor does it appear that any record was kept of the issue of such warrants. Informality was carried even further with the verbal attestation of royal commands. The King could also intervene in the audit to direct that allowances should be given to accountants.³

In addition to a proper warrant, proof of payment was also requisite. Deliveries to the royal household were recorded in the Household Books, and other account books might be produced as evidence.⁴ In most cases the recipient gave a receipt, which could be formal under seal, an informal writing, or even verbal attestation in Exchequer.⁵ But even where no receipt or acknowledgment was produced, allowance could still be given '*sub periculo computantis*', at the accountant's risk,⁶ which meant that the allowance could not be used as evidence that payment had been made. Though illustration of the abuses to which this system was open is almost superfluous, an action in Exchequer in 1527 will serve. David Hervy, chaplain, claimed that he was entitled to 10 merks annually out of the burgh maills of Cullen 'and the bailies and commissionaris of the said burgh has cumin to the chekker this vi or sevin yeris bigane and tane allowance of the said ten merkis yerly and has maid na payment thair of to the said schir David'. He had raised letters for payment 'conforme to the dracht of the rollis' which the defenders had disobeyed, but now their procurator became bound that they should 'satisfy and pleis the said schir David of all termes bypast contenit in the chekker rollis quhilkis the saidis bailies has tane allowance of, at the sicht and discretioun of my lord of Abirdene at his first cuming in

¹ E.R., xi, 296; xiii, 42.

² E.R., vii, 99; ix, 218; x, 614.

³ E.R., vi, 595-6; viii, 461; x, 621.

⁴ E.R., vi, 148; ix, 208; x, 296; xii, 66.

⁵ Ibid.

⁶ E.R., vii, 291, 531; xiv, 40.

the north partis and sall byd at his ordinancis in all punctis concerning the said mater'.¹ Here again, Skene saw an abuse and suggested a remedy; 'Item, that na compts in the Checquer be made *periculo computantis* nor na allowance admittit of sick compts, because na allowance should be granted in compt of soumes of money, silver, victuall or other payment alledged made be the comptur to ony person except the discharge and acquittance thereof be produced be the comptur *super computo*; whilk acquittances shall be deliverit to the Clerk of Register att the time of the compt and shall remain in the Register to be made furthcommand be him to all parties that shall have entress in caise the verity thereof shall come to be impugnit'.² As it was not possible to produce a receipt in all cases, payment might be proved before the Auditors,³ who are also found accepting sworn testimony given before the Lords of Council on the loss of certain corn in a vessel shipwrecked between Fife and Leith.⁴ The Bishop of Caithness brought an action in 1516 to prove the delivery of four lasts of salmon to George Dickson, burgess of Edinburgh, on the Comptroller's precept shortly before Flodden, for which Dickson had given a receipt, 'the quhillkis precept and acquittance war baith tynt in ane box of the said reverend faderis in the said feild of Floudone and as yit he has gottin na allowance nor payment thairof'.⁵

If the account ended with the accountant superexpended, the sum due to him might be set off against an amount outstanding in a second account rendered by him in another capacity, just as superexpenditure upon one head, e.g. oats, might be allowed in another branch of the same account. Otherwise the superexpenditure was allowed in the following year's account, in the same manner as 'rests' (amounts 'resting owing') due by an accountant were charged against him. Occasionally full clearing of an account was insisted upon. On 3 August 1540 Lord Drummond was decerned to make compt, reckoning, and payment of all duties and casualties since his entry to the office of steward of Strathearn, and of all rests in the rolls and other casualties 'that ar nocht cummyin in compt' before his entry, to poind for them and bring them into the Treasurer 'now in this present chekker'. John Drummond of Innerpeffray was to

¹ MS. A.D.C., xxxvii, 176.

² Proposals, loc. cit., f. 53.

³ E.R., x, 41.

⁴ E.R., xiv, 406.

⁵ MS. A.D.C. xxviii f. 24.

relieve him of certain sums, with which he had intromitted, and both were 'to remane still in this toun quhill thai have enterit thair compt in this present chekker and mak rekkyning and payment thair of as accordis'.¹

In an article mainly concerned with auditing procedure it is not possible fully to discuss all the miscellaneous business with which the Lords of Exchequer might deal. Their commission only specified powers connected with the actual auditing of accounts: to call officials before them, receive and hear their accounts, make allowances, grant discharges, 'punish officers negligent, remiss and disobedient in their offices by ward and otherwise' and, in vague terms, to do anything else which might be necessary.² These powers, however, only supplemented those which the Auditors already possessed as Lords of Council. Certainly, until James III's reign, it was customary to refer difficult points to the King's decision, indicated by the words *consulendus est rex* in the margin of the rolls. Allowance was given to the chamberlain of Linlithgowshire in his account for 1484 of the rents of the mill at the east end of the town of Linlithgow, which had been destroyed 'and the King is to be consulted whether it were better to rebuild the mill or not'.³ It was sometimes difficult to obtain a decision from the King. In 1459 it was noted that the earl of Angus had imprisoned the former customars of North Berwick and had taken money from them 'upon which the King was consulted and provided no redress and therefore he is to be consulted anew'.⁴ Under James IV and James V, the Exchequer, that is the Council in Exchequer, appears to have been fully competent to deal with all matters coming before it.

The judicial work of the Exchequer was not confined to revenue causes arising out of the accounts but normally extended to all matters on which the Council might adjudge. In fact, so much judicial work arose that at times it hindered the auditing of the accounts and on several occasions James V had to command the Auditors 'nocht to proceed bot apoun na materis bot chekkir materis'.⁵ Likewise the Auditors had functions in connection with the crown lands, in which capacity they entered in the rental tenants holding leases under the

¹ MS. A.D.C. & S., xiii, f. 188.

² Reg. Ho. Charters, No. 1319.

³ E.R., ix, 243.

⁴ E.R., vi, 494.

⁵ E.R., xvi, 539; *Introduction to Scottish Legal History* (Stair Soc.), 339-40; 'Exchequer and Council in the reign of James V', in *Juridical Review* (New Series), v, 209-25.

privy seal,¹ filled leases which had fallen vacant and, when specially commissioned by the King, set all the lands in a particular lordship.² They might also scrutinise the titles of those claiming hereditary right to any crown lands. In 1539 the King's commissioners for setting the lordships of Ross and Ardmannoch noted that there were 'certain lands said to be in the hands of Robert Stewart in feu-farm heritably from olden time (*ab antiquo*) . . . and the charter will be seen in the next Exchequer'.³ Production might also be required to determine the financial obligations of a tenant or vassal towards the King. In 1531 the feuar of Oneile was promised that if he showed his feu charter stating that he paid only 15s. each for the two marts due by him, the Comptroller should refund half of the £3 which he had taken.⁴ Similarly in 1501 it was ordered that the lands of Braidwood in Lanarkshire were to be charged yearly 'with twelve broad arrows of blench ferm, as appears in the charter thereof shown in Exchequer before the Auditors',⁵ but by production of the charter, the laird of Braidwood obtained remission of an unlaw for failure to give suit of court for the lands.⁶ On the other hand, John Dunbar of Blantyre presented a petition in 1528 in consequence of which the Auditors were charged 'to avis with the rollis' to see if his blench ferm had been 'hichtit' from 'ane goldin bruche price xiii s. iiii d.' to 'ane Hary noble'.⁷ Evidence of right to receive or to retain sums of money might be required. In 1496 the custumar of Kirkcudbright was commanded to cease paying five merks out of the customs to the Friars 'because it will not be allowed unless they show a sufficient infetment',⁸ while two years earlier the Auditors inspected a charter of Robert III and 'delivered that all amercements and fines of the justice ayres of Perth affecting inhabitants of the burgh of Perth ought to be paid to the alderman and sheriff of Perth within burgh towards the repair of the bridge of Tay, and that they shall render account thereof each year as is contained in the present charter, and that the estreats of the said ayre shall be directed to the said sheriff within burgh in future'.⁹

¹ *E.R.*, ix, 588.

² *E.R.*, xvii, 677.

³ *E.R.*, xi, 352*.

⁴ *MS. A.D.C.*, xxxviii, f. 153; *E.R.*, xi, 357*.

⁵ *E.R.*, x, 608.

⁶ Perth Burgh Charter, 10 April 1394, *endorsement*.

⁷ *E.R.*, xv, 559; *MS. A.D.C.*, xliii, f. 28.

⁸ *E.R.*, xvi, 77-78.

⁹ *Ibid.*, 357*.

The Auditors could direct that an accountant should not be charged with a sum, and further they could direct the complete removal of such a charge from the Exchequer rolls.¹ They could order the cessation of a payment or allowance, the sanction against the accountant being 'payment out of his own goods to the King'. This reinforced the powers they possessed as Lords of Council. In 1531, when the Auditors learned that the Barras chapel at Edinburgh was so ruinous that the chaplain 'cannot celebrate, nor pray for the soul of umquhile King James IV of good mind, his founder', they ordered him 'to celebrate daily or when he is inclined in St. Giles kirk of Edinburgh so that it may be evident to all faithfull Christians that he celebrates for the soul of the said King'; but the following year he was commanded to celebrate in his chapel 'under pain of loss of his pension'.² Enquiries might be ordered concerning the value of lands or their occupants, or to ascertain the King's debtors,³ and by the insertion of a *vocandus* in the rolls, the Auditors could direct that such persons should be called to show their rights or to answer for their debts to the King.⁴ In all things the Auditors were supposed to act for the protection of the King's revenue. William Kar obtained a letter, under the privy seal, granting him the right to export goods custom free, which the customar of Edinburgh duly produced 'upon compt' in 1531, but 'Because the Lords Auditors of Exchequer consider that the King's grace cannot owe his free custom to any person, therefore they have ordained that the said letter shall not be admitted in future and in sign thereof the said letter was destroyed in presence of the Lords Auditors, so that the said William shall pay in future for his customed goods as the rest of his neighbours pay.'⁵

Little need be said of the various functions imposed on the Exchequer by statute, for there is little or no evidence to show that they were carried into effect. A whole series of Acts required merchants exporting goods to bring back bullion, for which the customars were to render account in Exchequer.⁶ Such accounts survive for the seventeenth century, but no

¹ *E.R.*, xiv, 140; xv, 138; xvii, 22, 260-1.

² *E.R.*, xvi, 65, 152.

³ *E.R.*, vii, 130; ix, 15; xv, 219.

⁴ *E.R.*, ix, 436; x, 57, 115; xvii, 512.

⁵ *E.R.*, xvi, 66.

⁶ *A.P.S.*, ii, 213 et al.

doubt in earlier times merchants and custumars alike found obedience inconvenient, if not absolutely impossible. Similarly, no trace can be found of the provosts and bailies of burghs accounting for half of the penalty of £20 imposed on merchants passing to foreign parts without half a last of goods of their own or as factors to other merchants, despite the provision that custumars and others might 'accus the said provost and ballies gif thai be negligent in the premissis yerelie at the chekker'.¹ Nor does it appear that the sheriffs and sheriff clerks produced books containing sasines given by them.² But the Act of 1535 ordaining provosts, bailies and aldermen of burghs to 'bring yerelie to the chekker at the day sett for geving of thare comptis thare compt bukis of thare commoun gudis to be sene and considerit be the lordis auditouris gif the samin be spendit for the commoun wele of the burcht or nocht', does appear to have been observed.³ Within a few weeks of its enactment the magistrates of Perth were charged to produce their rentals and accounts before the Auditors,⁴ and numerous accounts, dating from 1557 onwards, have been preserved for other burghs.⁵

The rendering of his account freed the accountant of his liability towards the King in respect of all sums of which he was discharged, but for certain of these someone else might remain accountable. If this person was to render an account himself, a *responsio* was entered in the rolls, stating that he had received the sum, 'for which he will answer'. In the margin the clerk wrote 'R', for *respondebit*, the name and the amount. It was then easy to extract the *responsiones* from the rolls, most of them being against the Treasurer or the Comptroller.⁶ The receipts given to the accountants and presented by them 'upon compt' were retained as collateral evidence of the payments.⁷

Finally, a brief account may be given of the audits of the accounts of the Treasurer and Comptroller. These audits were carried out by commissioners specially appointed for the purpose, who were normally identical with the Auditors of

¹ Ibid., 348.

² Ibid., 360.

³ Ibid., 349.

⁴ A.D.C., iii, 444.

⁵ Exchequer, Common Good Accounts.

⁶ Accounts (Various), Nos. 2-3.

⁷ E.R., x, 410. (Protest by Comptroller against non-production of receipt.)

Exchequer, except, of course, that the Treasurer and Comptroller could not be auditors of their own accounts.¹ Although in most years the audits formed a continuation of the ordinary Exchequer, they could be held at other times. The accounts might be allowed to run for three or four years before they were audited, while, on the other hand, the death of an official or his demission of office might bring them to a close prematurely.² The auditors and the King signed the last page of the accounts, which were made up in book form,³ but only the Comptroller's account was enrolled thereafter.

The Comptroller was charged firstly with his receipts from the sheriffs, custumars, bailies of burghs and *ballivi ad extra* listed against him in the Exchequer rolls (*in rotulis*), and secondly with sums received *extra rotulos*, either from these officers or from other sources, such as grassums paid by crown tenants. Although the discharge of the Comptroller's account was relatively short and simple, it involved the audit of the books of the King's household, containing the detailed day-to-day accounts of his expenditure.⁴ In addition, he received allowance of certain 'ordinaries', mostly fees of members of the household, which were listed in full. He was also responsible for all expenditure connected with the holding of the Exchequer.

The Comptroller's concern with the expenses of the household left the Treasurer with the responsibility of providing for the wardrobe, alms and offerings, and certain minor expenditure. In his accounts his ordinary expenditure was listed under subjects: the King (personal expenses), saddler, alms, the king's purse, dogs, liveries, money paid by precepts, pensions, carriage, pursuivants and messengers. The individual payments under each head were listed chronologically until 1536, and thereafter by months.⁵ The Treasurer's receipts were grouped in a similar manner. Apart from small and unimportant payments by the sheriffs charged against him *in rotulis*, his revenue consisted of compositions and similar payments, under the following heads: charters; wards, non-entries, reliefs and marriages; and escheat goods. This corresponds to the arrangement of the Treasurer's register of

¹ Reg. Ho. Charters, Nos. 1313, 1632; *Acts. of Lord High Treasurer*, i, 1.

² *Ibid.*, i, 79-197, 209-72; ii, 163-480; v, 89-99.

³ *Ibid.*, *passim*; *E.R.*, xii, 576, 581; xix, 330n, 353.

⁴ *Excerpta e Libris Domicilii Jac. V.* (Bannatyne Club).

⁵ *Acts. L. H. T.*, vii, 380.

signatures, in which the compositions were recorded, but of which, unfortunately, no volumes are extant before 1562. The Treasurer also received the proceeds of taxation, the profits of the mint, and a number of small items of revenue. It should be noted, however, that the Auditors were not strict in requiring proof of payment and, on occasion, the Treasurer and the Comptroller had to be sued by disappointed pensioners or creditors for sums for which allowance had been given in the accounts.¹ Their reluctance to pay is understandable, in view of the fact that they were often superexpended.

For certain minor accounts, including expenditure on the royal castles and palaces,² 'Auditors of Exchequer' were appointed specially. Arthur Sinclair received 400 angel nobles from his brother, Oliver Sinclair, at the King's command, on 10 April 1538, 'to by hym horsis and uther small thingis in Denmark', and, on his return, rendered a full and faithful account.³ Dunbar's behaviour was quite different:

I tuik fra my Lord Thesaurair
A soume of money for to wair:
I cannocht tell yow how it is spendit,
Bot weill I waitt that it is endit;
And that me think ane compt our sair.

And there is no way of telling how the 'Lordis of Chacker' would have dealt with an accountant who, having taken the Treasurer's money, could give no better account of it than this:

Now the remanes are eith to turss;
I have na preiff her bot my purss,
Quhilk wald nocht lie, and it war luikit.⁴

ATHOL MURRAY.⁵

¹ *Acta Dominorum Concilii et Sessionis* (Stair Soc.), 3.

² *R.S.S.*, i, 1422, 1515; *Acts of the Master of Works*, i.

³ Exchequer, Accounts (Various), No. 7.

⁴ The author is indebted to Professor W. Croft Dickinson, Mr Grant Simpson and Mr Bruce Webster for their comments and suggestions.

⁵ Assistant Keeper, Scottish Record Office, H.M. General Register House.

Scottish Politics, 1885-6

TWO issues dominated Scottish politics in the years 1885 and 1886—disestablishment of the Church of Scotland and home rule for Ireland. By the end of 1886 neither measure was on the statute book. Yet, under the cover of these issues, the politics of Scotland had changed, and the Conservatives and Liberal Unionists had secured a hold on about forty per cent of the Scottish seats, a hold which they were to retain for the next twenty years.

At the beginning of 1885, the Liberal Party in Scotland seemed destined to maintain a near monopoly of seats for many years to come.¹ But the very success of the party, which eliminated the fear of opposition, caused a great deal of internal trouble. The party was traditionally an alliance of groups, of which some, with antagonistic aims, were prepared to split the party for their sectional interests. With the creation of a new electorate by the reform and redistribution of 1884 and 1885, these groups renewed their jockeying for predominance. In the election of 1885, there were rival Liberal candidates in no fewer than twenty-eight of the seventy-two constituencies.²

The central body was the Scottish Liberal Association, with the Earl of Fife as President and the Earl of Elgin as the dominating personality.³ The association stood on the right of the Liberal Party, far removed from the ideas and methods of Joseph Chamberlain, and reflecting the power of the Whig

¹ Scottish election results:

	Liberals	Conservatives
1868	54	6
1874	41	19
1880	54	6

² Double candidatures:

1868	12
1874	7
1880	2
1885	28

³ For Scottish politics before 1885, see H. J. Hanham, *Elections and Party Management*, 155-489.

landlords and businessmen in the previous twenty years. It restricted itself to the supplying of legal information, the settling of quarrels, and the supplying of literature and speakers. It claimed no competence in policy-making or the choice of candidates. At the annual meeting on 16 January 1885,¹ Elgin restated the guiding principle, 'that they should be bound to maintain the principle which they had always professed since the beginning of the Association—that each constituency should stand independent, particularly in such matters as the choice of its own member'.² One delegate, a member of Parliament, said, 'he was very glad that the Association took no credit for the Liberal victory which had been won this year, for it proved that there was no attempting on the part of the Association to interfere with individual constituencies nor any attempting to raise agitation in the country'.³ This desire for local independence was widespread among the Whigs and was a feature of much election oratory and newspaper writing.

Opposition to the Whigs came from the Radicals of Glasgow. They were led by Gilbert Beith, Chairman of the Glasgow Liberal Association, and Dr Cameron, the owner of the *North British Daily Mail* and the *Oban Times*. Since their primary aim was the disestablishment and disendowment of the Church of Scotland, they had enthusiastic support from the Free Church and the United Presbyterian Church. Principal Rainy⁴ dominated the Committee on Church and State of the former; the Rev. Dr Hutton,⁵ the Committee on Disestablishment of the latter. Their chief allies were Principal Cairns,⁶ Taylor Innes, and Professor Calderwood.⁷ Dr Cameron was a member

¹ *The Scotsman*, 17 January and 7 February 1885.

² *Ibid.*, 17 January 1885.

³ *Ibid.*

⁴ Robert Rainy (1826-1906). Son of a professor of medicine; Free Church minister in Edinburgh, 1854-62; Professor of Church History in the Free Church College, 1862-1901; Principal, 1874-1901; Moderator, 1887, 1900, 1905.

⁵ George Clark Hutton (1825-1908). Son of a schoolmaster; minister at Canal Street United Presbyterian Church, Paisley, 1851-1901; joined the Liberation Society, 1858; on executive of the Liberation Society, 1868-1901; Convener of the Disestablishment Committee of the United Presbyterian Church, 1872-90; Paisley School Board, 1873-6, 1879-82; Principal of the United Presbyterian Theological College, 1892-1901.

⁶ John Cairns (1818-92). Son of a shepherd; preacher at Berwick-on-Tweed, 1845-76; Professor at U.P. Theological Hall, 1867-79; Principal, 1879-92.

⁷ Henry Calderwood (1830-97). Ordained 1856; published *Philosophy of the Infinite*, 1854; minister at Greyfriars Church, Glasgow, 1856-68; Professor

of the Scottish Council of the Liberation Society, but he was also interested in the land reform movement in the Highlands. Like most of the Radicals, he wanted to apply the money from disendowment to finance free education.

The Radical fortress was Glasgow where six of the seven candidates of the Glasgow Liberal Association were pledged to disestablishment. The Radicals had beaten off the attempts of the Whigs to run as Liberals in the Central and St. Rollox divisions.¹ Members of the Glasgow Liberal Association sought election in Leith and Mid Lanark,² and the *North British Daily Mail* favoured Bennett Burleigh in the suburban Glasgow seat of Govan and Cunninghame Graham in North-west Lanark.³ Led by Professor Calderwood, the Radicals launched an attack in Edinburgh on G. J. Goschen and Sir George Harrison⁴ who, along with R. B. Finlay in Inverness and E. Robertson in Dundee, were considered by the *North British Daily Mail* as agents of a Tory-Whig alliance.⁵ Rival Liberal committees were formed to oppose these men. Radical candidates also ran against moderates in seven other constituencies.

The overwhelming strength of the Liberals tempted many local associations to disregard the dangers of a split vote. In May 1885 the United Liberal Association of Perth invited R. B. Haldane to stand against the sitting Liberal member:

At a meeting of the Liberal Association of Perth recently, the Executive were instructed to look out for candidates to address the constituency who were likely to be more in harmony with the opinions of the majority of the electors than the sitting member. . . .

The position of political matters here, is shortly this:—Mr Parker, —described by *The Scotsman* as a third rate politician,—has never been thoroughly possessed of the confidence of the community, owing mainly to his Whiggish tendencies and what may be described as his want of sympathy with the instincts of the time. Dissatisfaction has yearly increased until the Liberal Association, taking up the matter in the interest of the public, by an overwhelming majority passed the resolution above referred to.

of Moral Philosophy at Edinburgh, 1868; Edinburgh School Board, 1873-4; Moderator, 1880; editor of the *United Presbyterian Magazine*.

¹ *The Scotsman*, 16 March 1885.

² *Ibid.*, 24 December 1885.

³ *North British Daily Mail*, 15 September and 28 November 1885.

⁴ *The Scotsman*, 25 March, 13 April et seq. 1885.

⁵ *North British Daily Mail*, 3, 7 December 1885.

In this connection however it is proper to state that this step on the part of the association caused the secession of a few of its members . . . who have formed themselves into a personal committee for his (Parker's) return.

To date there have been 13 resignations from the association and on the other hand, actuated by the course pursued, upwards of 60 voters have since voluntarily become members of the association, which now numbers about 400, presided over by prominent citizens & leading officials of the city. It may be well to understand that any candidate who comes here to oppose Mr Parker, will in no way endanger the Liberal representation of the city. The total number of electors is about 4,400 and as only about 800 at most of them are Tories, you will at once perceive that there is more than ample margin to enable two Liberals to be run with perfect safety.¹

Haldane refused, and in July the association secured W. B. Barbour of London as a candidate.² He later withdrew and was replaced by A. McDougall of Manchester.³ It is probable that the association solicited candidates from the Radical Clubs in London and from Schnadhorst, the secretary of the National Liberal Federation; but Parker remained the official Liberal candidate, supported by Gladstone and by the leading Liberal newspaper, the *Perthshire Advertiser*.⁴

The primary aim of the Glasgow Radicals was to make disestablishment a test question for all Liberal candidates at the election. One of the speakers at the annual conference of the Scottish Council of the Liberation Society claimed that, with regard to the Church of Scotland, Liberals had a decided grievance 'for in many of its forms, developments, and organisations . . . [it] might be regarded in the outlying districts especially, as a Conservative organisation'.⁵ All the usual methods of propaganda were exploited to convince the Scottish people and to coerce the Liberal candidates. United and Free Church Presbyteries passed resolutions.⁶ A conference was held in Edinburgh in May.⁷ A front page advertisement appeared in *The Scotsman* signed by 1,475 ministers, about one-third of the clergy of Scotland.⁸ During this public clamour, the leaders were in private communication with the

¹ John McIntosh to Haldane, 8 May 1885 (Haldane MSS., 5902, ff. 179-81, National Library of Scotland).

² *Perthshire Courier*, 7 July 1885.

³ *Ibid.*, 8 September 1885.

⁴ *Perthshire Advertiser*, 30 November 1885.

⁵ *The Scotsman*, 14 February 1885.

⁶ For instance, the Edinburgh United Presbyterian Presbytery (*ibid.*, 4 November 1885).

⁷ *Ibid.*, 22 May 1885.

⁸ *Ibid.*, 7 November 1885.

candidates. Rainy, Innes and Calderwood all wrote to Haldane, the Liberal candidate in East Lothian, who favoured a modified form of disestablishment and disendowment.¹ Rainy especially protested against his views. Haldane wrote to his mother, 'The Disestablishment people write me letters at times. I fear they [sic] designs are not based on the best of motives towards the Church of Scotland.'² The *North British Daily Mail* addressed an angry homily to the Liberal Churchmen:

The moral of the whole is that there will be no real union of the Liberals in Scotland until marplots like Professor Ramsay, Dr A. B. McGrigor, and Sheriff Guthrie are cast out of the party and bluntly told in Gladstone's own words—'In Heaven's name, withdraw your support.' There will be no safety for the Liberal Party in Scotland until they do so. The cowardly deserters must be cleared from the flanks ere the enemy can be fairly fought in the front.³

The antisestablishment side was by no means silent. The main instrument of the Church of Scotland was the Committee on Church Interests, dominated by Lord Balfour of Burleigh, which issued 450,000 copies of an *Address to the People of Scotland* in which Balfour declared that the opponents of the establishment were trying to use unrepresentative Liberal associations and packed conferences to trump up a claim of majority support within the Liberal Party. Seventy-four of the eighty-four presbyteries in the Church of Scotland formed defence associations.⁴ The *Perthshire Courier*, a violent defender of the establishment and of 'Reformation principles', characterised the disestablishment Liberals as pagan, secular and atheistic,⁵ called their policy 'pure national atheism',⁶ and pointed out that success for the cause would mean equality between Presbyterianism and Catholicism.⁷ The Church of Scotland received support from a minority group in the Free Church, composed largely of Highlanders, who favoured Presbyterian reunion on the basis of the establishment. Its followers met at Inverness in November, when Dr Rainy, in

¹ Calderwood to Haldane, 7 May 1885; Innes to Haldane, 14 May 1885; Rainy to Haldane, 8 June 1885; Haldane to Rainy (copy), 9 June 1885 (File 1884/1885, Haldane MSS.).

² Haldane to his mother, 11 June 1885, (Haldane MSS., 5937, f. 56).

³ *North British Daily Mail*, 2 December 1885.

⁴ Report of the Committee on Church Interests to the Commission of the General Assembly of the Church of Scotland (*The Scotsman*, 19 November 1885).

⁵ *Perthshire Courier*, 20 January 1885.

⁶ *Ibid.*, 27 January 1885.

⁷ *Ibid.*, 3 February 1885.

particular, was singled out for attack.¹ Two hundred lay officers signed a memorial to Gladstone against disestablishment.² Individual ministers, such as the Rev. James Cullen of Kelty, spoke for Conservative and Whig candidates.³ The antidisestablishment forces had the support of *The Scotsman* and the *Glasgow Herald*. Cooper, the editor of *The Scotsman*, considered the disestablishment party to be a minority in the country, advancing its cause by unscrupulous political tactics,⁴ a faction which

... have done their utmost to thrust the question forward in the name of Liberalism. Conscious that they could not hope for success by a fair trial at the polls, they have sought to manipulate the elections by means of the Liberal Associations, and by the intimidation of candidates who were not of their way of thinking.⁵

Nor did he favour extreme views on confiscation. He wrote to Haldane, 'For my part I would do nothing to help Disestablishment on the Taylor Innes methods.'⁶ He looked forward to a fair scheme of disestablishment when the country had decided honestly in its favour.

Liberal churchmen appeared in four constituencies. In one, Kilmarnock District, Viscount Dalrymple opposed Dick Peddie, the author of the disestablishment resolution which was to be introduced in the House of Commons after the election. In East Lothian, Haldane, after surviving the attacks of the disestablishment party, was threatened by a church candidate in the person of Sir Charles Tennant's eldest son who, eventually, declined to stand.⁷ *The Scotsman* opposed all these candidatures and pleaded for unity in the party.

The meetings of the Scottish Liberal Association became tests of strength between the two parties. At the meeting of the Association in January, and of the council in February, the Radicals attacked the existing constitution and pressed explicitly for a federation along the lines of Chamberlain's National Liberal Federation. Elgin replied that such an association, if created, should be separately organised. Professor Calderwood suggested the matter be referred to the constituency organisations, and Elgin promised that the executive

¹ *The Scotsman*, 6 November 1885.

² *Ibid.*, 8 November 1885.

³ *Perthshire Courier*, 9 June 1885.

⁴ *The Scotsman*, 16 March, 22 May 1885.

⁵ *Ibid.*, 4 November 1885.

⁶ Cooper to Haldane, 7 June 1885 (Haldane MSS., 5902, f. 188).

⁷ Haldane to his mother, 8 November 1885 (Haldane MSS.).

would consider the question.¹ In February the *North British Daily Mail* announced its support of a federation of constituency organisations along the lines of the National Liberal Federation, preferably by the recasting of the rules of the Scottish Liberal Association or by its dissolving itself into the new federation.² When the Association met again in July, Elgin submitted some minor revisions of the rules and announced that the executive rejected federation and reiterated 'the paramount necessity of in no way interfering with independent action'.³

In September Glasgow countered by calling a conference of Liberal associations. It procured Chamberlain as guest speaker. There were present 600 delegates from 160 associations. Gilbert Beith presided. He proclaimed that the Scottish Liberal Association was moribund and attacked the Liberal press as unrepresentative of the true state of party opinion. The meeting carried six resolutions. The most important called for disestablishment and disendowment, and the funds so released were to be used to finance free education. The others called for reform of procedure in the House of Commons, an elective House of Lords, devolution of work upon local government authorities, local option, and land reform including the return of the land to the crofters. There was a motion for the creation of a federation of Liberal associations with its headquarters in Glasgow, and a committee was appointed to implement the suggestion.⁴ The *North British Daily Mail* proclaimed that it was clear from the conference that the majority of the electors wanted disestablishment and disendowment. It concluded that the minority must conform to the majority in each constituency and that the candidate out of harmony ought to retire.⁵

When the Scottish Liberal Association met at Perth on 16 October, the disestablishment party won a complete victory. The chairman announced that the discussion would be confined to two points, local option and the church question, although a motion on local government and land reform was accepted.⁶ *The Scotsman* charged that the meeting had been packed by Free Church ministers and that the public would be no more impressed than they were by the capture of the local associations.⁷

This was by no means the sum total of Liberal dissension.

¹ *The Scotsman*, 17 January, 7 February 1885.

² *North British Daily Mail*, 7 February 1885. ³ *The Scotsman*, 16 July 1885.

⁴ *Ibid.*, 16 September 1885; *North British Daily Mail*, 16 September 1885.

⁵ *North British Daily Mail*, 16 September 1885.

⁶ *The Scotsman*, 17 October 1885.

⁷ *Ibid.*, 19 October 1885.

In the Highlands the crofters had organised a party of their own outside the official Liberal organisation.¹ It was formed in 1881 by the Irish Land League; and in 1882, under the inspiration of Angus Sutherland, a schoolteacher in Glasgow and the son of a crofter, it became the Highland Land Law Reform Association with Dr G. B. Clark as its leader. Most of the Liberal members from the Highlands were landlords and graziers, the natural enemies of the crofters. However, Dr Cameron acted as a link with the Radicals in Glasgow.

Between 1882 and 1884, particularly after the failure of the Liberal Government to implement the suggestions of the Royal Commission headed by Lord Napier and Ettrick, there was a miniature land war in Skye, North and South Uist, and Harris. The most exciting moments were the Battle of the Braes in 1882² and the despatch of a gunboat to Skye two years later.³

The extension of the franchise in 1884 gave the crofters the opportunity to return their leaders to Parliament. The Liberal members saw the danger, and the Duke of Argyll wrote to Gladstone:

I have had a conversation today with young Munro Ferguson of Novar on a matter touching to Scotch Redistribution, which is of serious importance.

I fear there can be no doubt that a Land-League on the model of the Irish, and the leaders of which are working with the Parnellites more or less, have got hold of all the Hebridean Islands, which are now divided between the counties of Argyll, Inverness, and Ross.

The population amounts to upwards of 60,000.

Novar tells me that the mainland constituencies wd return such members as himself with tolerable security but that the Islanders will only too probably go in for regular Leaguism.

The extraordinary ignorance of many of these poor people is incredible.

Novar thinks that unless the Islands are separated and erected into a constituency by themselves, about 5 seats will be lost to

¹ For a detailed discussion of the crofters see, D. W. Crowley, 'The "Crofters' party", 1885-1892' (*ante*, xxxv, 1956); J. S. Blackie, *The Scottish Highlanders and the Land Laws* (London, 1885).

² Crowley, *loc. cit.*, p. 112.

³ Macdonald to Ivory, 13 November 1884; Lord Lovat to Ivory, 16 November 1884; Ivory to the Lord Advocate (copy), 20 November 1884; Lord Advocate to Ivory, 25 November 1884; Sheriff Macpherson to Ivory, 26 November 1884; Ivory to Macpherson (copy), 29 November 1884; Cameron of Lochiel to Davidson of Cautray, undated (File T/92, Box 2, Ivory MSS., Scottish Record Office).

Liberals, as distinguished from Leaguers. Whilst both geographical considerations as well as political are in favour of erecting the Hebridean Islands into a constituency by themselves.

Novar is one of the most creditable young men whom Scotland has sent to Parliament. He tells me that he doubts whether he has a chance if he is to be swamped by the cotters and crofters of the Lewis, as he cant support the wild notions they have conceived.

A Scotch Parnellite Party embracing some 5 county members and cooperating with a certain number from the cities wd be a formidable addition to the Party of Disorder. The displacement of such men as Novar by such men as Fraser Mackintosh would be a damage to the House of Commons. . . .¹

The three leading crofters, Clark, Sutherland, and R. Macdonald, ran in Caithness, Sutherland, and Ross and Cromarty respectively. Their allies were J. M. Cameron, an agricultural chemist, who was invited to contest Wick by the local Radical Working Men's Association, D. H. Macfarlane, a moderate Irish Nationalist, who abandoned his seat in 1885 for Argyll, C. Fraser Mackintosh, a financier who had a long connection with the Highland Radicals and who stood for the county of Inverness, and J. W. Barclay, a friend of Mackintosh, who ran in Forfar. In all except Forfar, which was not in the Highlands, the crofter candidates fought other Liberals, frequently the sitting member. *The Scotsman* strongly supported the landlord candidates,² who were forced, however, to moderate their stand owing to the exigencies of the situation.³ A letter to Sheriff Ivory indicates the position in Inverness-shire: 'I enclose copies of the statements of Sir K. MacKenzie and Mr MacLeod. Both are bidding for the crofter vote in a way that I think is little creditable to either of the great historical parties.'⁴ Mackenzie was willing to concede fixity of tenure, fair rents, compensation for improvements, simple and cheap transfer, protection from game, and compulsory purchase by local authorities. He would accept free education if religious teaching were protected, and was opposed to disestablishment.⁵

¹ Argyll to Gladstone, 4 December 1884 (B.M. Add. MSS., 44105, f. 238).

² *The Scotsman*, 15 August, 6 October 1885.

³ They may have been influenced as well by the increase in the police assessment which rose in Inverness from £1,783 in 1881-2 to £5,315 in 1885-6. (*Report of the Sheriff of Inverness, Elgin and Nairn to the Commissioners of Supply Inverness-shire*, 17 October 1885).

⁴ Davidson to Ivory, 22 November 1885 (File T/92, Box 3, Ivory MSS.).

⁵ *Ibid.*

The Scottish Land Restoration League was further to the left than the Highland Land Law Reform Association. It believed in land nationalisation, and contested six divisions in the Glasgow area. It was supported by Michael Davitt,¹ but opposed by Parnell² and by the *North British Daily Mail* which was angered at the possibility of a split Liberal vote.³ But the League was insignificant in numbers, and Dr Cameron need not have worried.

Into this confusion Gladstone tried to restore some order. Lord Richard Grosvenor, the Liberal Whip, wrote from the Highlands in September: 'Killing duplicate candidates goes on much faster & better than killing stags, the number of duplicate Candidates has been, why I know not, greatly exaggerated in the papers . . . & most of these are sham & disappear by degrees. . . .'⁴ But the killing was more successful in England than in Scotland. Gladstone, speaking at Edinburgh on 11 November, affirmed that the party had an agreed platform, which did not include disestablishment, and which was sufficiently extensive to take up the time of the next Parliament. He would not put these aside 'for the sake of a subject of which I will not undervalue the importance, but of which I utterly deny the maturity at the present moment'.⁵ Two weeks later he published a letter appealing for the end of double candidatures,⁶ and on 28 November he telegraphed his support of Sir George Macpherson Grant who had been challenged by a Radical in Elgin and Nairn.⁷ On 13 November the Scottish Liberal Association set up a committee to try to mediate between contesting Liberals.⁸ The three candidates in St. Rollox agreed to a plebiscite,⁹ and in Govan, the Falkirk Burghs, Greenock, and Paisley one of the rival candidates agreed to withdraw.¹⁰ The *North British Daily Mail*

¹ *The Scotsman*, 27 November 1885.

² Redmond spoke against Shaw-Maxwell (*ibid.*, 26 November 1885).

³ *North British Daily Mail*, 27 November 1885.

⁴ Lord R. Grosvenor to Gladstone, 25 September 1885 (Add. MSS., 44, 316 f. 40), quoted in Hanham, *Elections and Party Management*, 353).

⁵ *The Scotsman*, 12 November 1885; John Morley, *The Life of William Ewart Gladstone*, iii, 248.

⁶ *The Scotsman*, 26 November 1885.

⁷ *Ibid.*, 28 November 1885. The *Elgin Courier* charged that Chamberlain had promoted the rival candidature (quoted in *The Scotsman*, 5 December 1885).

⁸ *Ibid.*, 13 November 1885. The committee was composed of Campbell-Bannerman, J. B. Balfour, Professor Calderwood, A. B. McGrigor.

⁹ *Ibid.*, 14 November 1885.

¹⁰ *Ibid.*, 2 December 1885; *Govan Press*, 14 November, 5 December 1885.

reluctantly agreed to support certain of the Whig candidates.¹

The National Liberal Federation of Scotland met on 17 November. *The Scotsman* took the opportunity to renew its attack on the disestablishment party. It claimed a steady decrease in the numbers at each meeting from 600 to 700 at Glasgow in September to 400 at Perth and only 180 at the latest gathering in Glasgow.² Two resolutions were put before the meeting. The first reiterated the justice of disestablishment; the second accepted Gladstone's call 'on the grounds of expediency . . . in the face of a great political emergency'. The debate was protracted and bitter. Councillor Graham said that the election in Tradeston would be fought exclusively on the test question of disestablishment. Hoey, one of the Liberal candidates in Govan, was booed when he moved that the question was inexpedient. His amendment was defeated, only 28 voting for him. An amendment to the second resolution declaring the country united for disestablishment was carried, 69-55.³ Principal Rainy and the Rev. Dr Hutton, in speeches at Kilmarnock, deplored Gladstone's statement.⁴ They would not consent to shelving the question; and Rainy carried the Free Church Commission of Assembly with him, 82-18.⁵ However, the partial success of the Scottish Liberal Association's arbitration committee shows that some Liberals were not insensitive to Gladstone's appeal.

The election results were striking. Sixty Liberals, two Crofters, and ten Conservatives were returned. In all the host of double Liberal candidatures, only in Kilmarnock did the Conservatives win on a minority vote. *The Scotsman* claimed that seven other victories were the result of Liberal disunion.⁶ This may have been true in Govan, Lanark Northwest, and Kirkcudbright, but in Bute, Wigtown, Renfrew West and Dunbarton it is less likely. T. P. O'Connor claimed that the Irish vote provided the margin of victory in Govan, Northeast [? West] Renfrew, Northwest Lanark, and Kilmarnock.⁷ But in 1886, with the Irish Nationalists in full support of Gladstone, the Liberals regained only Northwest Lanark. The Glasgow

¹ *North British Daily Mail*, 3, 7 December 1885.

² *The Scotsman*, 17, 18 November 1885.

³ *Ibid.*, 18 November 1885; *North British Daily Mail*, 18 November 1885.

⁴ *The Scotsman*, 17 November 1885.

⁵ *Ibid.*, 19 November 1885.

⁶ *Ibid.*, 9 December 1885.

⁷ *Ibid.*, 12 December 1885.

seven were returned along with their allies in Leith and Mid Lanark. *The Scotsman* estimated that they would have twelve followers.¹ All the Radical attacks on sitting members failed as did the attempts of the four churchmen who challenged Radical candidates. Goschen, Harrison, Robertson, and Finlay were elected. All the candidates of the Scottish Land Restoration League failed badly, all polling fewer than 1,000 votes except Shaw-Maxwell in Blackfriars, who stood third with 1,156. In the Highlands, Clark won in Caithness and Macdonald in Ross and Cromarty. Their allies, standing as Liberals, were returned in Wick, Inverness-shire, Forfar and Argyll. In the latter county Macfarlane became the first Roman Catholic member for a Highland constituency since the Reformation.

The results seemed to prove that the Liberals could continue their internal wars with impunity. But the edifice had been severely weakened, and the storms of Irish home rule were to finish what disestablishment had started. The effect was to be just what the *North British Daily Mail* had earlier demanded. Many of the Whiggishly inclined Liberals, whose drift from the party was arrested in 1885 by Gladstone's declaration on disestablishment, were driven out of the party. At the dawn of the new year, this was not immediately apparent. Sir George Harrison died immediately after his election. His committee dissolved, reformed, and decided to ask Childers to stand. The Radicals were enraged at what they considered another Whig dodge, but they were unable to find a candidate.²

Disestablishment gradually faded into the background. The annual meeting of the Scottish Council of the Liberation Society took place in February. Its members were encouraged to redouble their efforts, to improve local organisation, and to choose suitable candidates. Cunninghame Graham announced that disestablishment would be the test question in future elections.³ Yet the voice of the Council was stilled in the flood of home rule oratory. Two of its most prominent members, Professor Calderwood and Cameron Corbett, the member for Tradeston, became Liberal Unionists. But they were exceptional, for most of the partisans of disestablishment found

¹ *Ibid.*, 9 December 1885.

² *Ibid.*, 30 December 1885; 1, 5, 13, 14, 15 January 1886.

³ *Ibid.*, 10 February 1886.

it impossible to go over to their enemies. Two writers appealed to Gladstone, arguing that, with the disappearance of most of the Whigs over the home rule issue, he could consolidate his hold on the Scottish party by declaring for disestablishment. One pointed to the danger of the 'no popery' cry and urged disestablishment as a counter to it.¹ Gladstone refused to take their advice. Among the Liberal Unionists, many had been opposed to disestablishment but most were sufficiently respectful of the power of their enemies to abstain on Dr Cameron's motion for disestablishment and disendowment.²

The Scottish Liberal Association met in February. Rosebery wrote that the local associations needed to be strengthened. Elgin explained that the Perth meeting of the previous year was not official and, as a result, its resolutions could not be included in the annual report. He was re-elected Chairman of the Executive Committee with Cowan of Beeslack, the President of the Midlothian Liberal Association, and Hamilton of Dalzell, the member for South Lanark, as Vice-Presidents. A committee was set up to consult with Lord Rosebery on organisation.³

With the introduction of the Government of Ireland Bill, the National Liberal Federation of Scotland went into action. A circular was sent to all the local associations advising them that a meeting would take place in Glasgow on 29 April.⁴ Gilbert Beith presided, and resolutions creating the framework of the National Liberal Federation of Scotland were passed after some protests of faction. Like its counterpart in England, it was to be a federation of constituency organisations with a special formula to determine the exact number of delegates from each area. Beith became President, Macdougall Honorary Secretary, and ex-Provost Dick of Kinning Park, Honorary Treasurer—appointments which demonstrated the complete control of Glasgow. There followed a debate on Irish policy. A resolution was moved in favour of Gladstone's policies; a simple negative could not find a seconder. Another amendment urged opposition to a separate and independent Irish

¹ Professor J. A. Paterson to Gladstone, 1 June 1886 (B.M., Add. MSS., 44, 497, f. 304); James Davidson (Greenock) to Gladstone, 11 May 1886 (Add. MSS., 44, 497, f. 192).

² *Hansard*, vol. 304, cols. 353-5.

³ *The Scotsman*, 20 February 1886.

⁴ *Ibid.*, 15 April 1886.

parliament, to the exclusion of the Irish members from the House of Commons, and to guarantees to the Protestant minority inconsistent with Liberal principles. The original motion was carried with nineteen dissentients. Then John Morley addressed the evening meeting and defended the Government's policy.¹

There developed a full-scale battle in the local Liberal associations. Beith and Cameron first of all tried to repel the enemies within the bastion of Glasgow. The President of the Glasgow Liberal Association and four members of Parliament in Glasgow and its suburbs turned Liberal Unionist. The association met on 20 April, when the members defeated the President's hostile motion with an amendment recognising the bill as the basis of a settlement and postponing final consideration.² Six days later a favourable resolution was carried by 117 (?135) to 36.³ In Tradeston,⁴ Blackfriars⁵ and Partick,⁶ the local associations carried resolutions hostile to their members. In the case of Tradeston, the Liberals on the executive resigned to promote another candidate; in the latter two constituencies, the Liberal Unionists were forced to form separate organisations. In College, opposition was strongly but unsuccessfully pressed against Dr Cameron.⁷

Outside the Glasgow area, seventeen Liberal Unionists were standing for re-election and there were, in addition, twenty-one candidates who came forward for the first time as Liberal Unionists. The National Liberal Federation of Scotland issued a circular to its branches on 17 May requesting at least one meeting immediately to pass resolutions of confidence in the Government and approval of the bill, as well as to petition the House of Commons.⁸ Some of the Liberals, such as Parker in Perth City and Robertson in Dundee, who had antagonised their associations in 1885, patched up differences by supporting home rule. But Sir Donald Currie in Perth West was perhaps more typical in treating the Glasgow intervention with contempt.⁹ The Liberals scored a tactical victory in Leith where

¹ *Glasgow Herald*, 1 May 1886; *North British Daily Mail*, 1 May 1886.

² *Glasgow Herald*, 21 April 1886.

³ *Ibid.*, 27 April 1886.

⁴ *Ibid.*, 8 June 1886.

⁵ *Ibid.*, 11 May 1886. Mitchell Henry had won an initial vote of confidence on 5 May (*ibid.*, 6 May 1886).

⁶ *Ibid.*, 18 June 1886.

⁷ *Ibid.*, 24 May, 16 June 1886.

⁸ Letter of Sir Donald Currie, 21 May 1886 (*Perthshire Advertiser*, 24 May 1886).

⁹ *Ibid.*

the member, after much hesitation, declared himself a Unionist. Holmes Ivory, the Liberal agent in Edinburgh, called a meeting of the local Liberals and persuaded them to nominate Gladstone. When Gladstone agreed to stand, Jacks abandoned the contest.¹ The *Glasgow Herald* thought it a 'scurvy trick'.² The Federation issued a manifesto in June demanding a great majority for self-government. 'Let not the Scottish people be led astray by false issues. The question is purely one of national and civil right. Religion is being dragged into it for party purposes.'³

Religion certainly was an issue. The speakers from the Unionist organisations in Belfast found it an effective point, and a Presbyterian clergyman headed the Ulster campaign in Scotland.⁴ The Irish Presbyterians made every effort to convert their brethren. Sir Donald Currie made arrangements for their representatives to interview the Scottish members of Parliament.⁵ Deputies from the General Assembly spoke at the assemblies of the Free Church, the United Presbyterian Church and the Church of Scotland.⁶ The failure of the Free Church and the United Presbyterian ministers to rally to the Unionist cause gave great offence to the Irish Presbyterians. The *Presbyterian Churchman* denounced Rainy, in particular, for siding with Gladstone purely as a tactical move in the struggle for disestablishment. It predicted increased understanding between the Irish Presbyterians and the Church of Scotland and warned the Free Church that it might cease to support disestablishment.⁷ The more extreme Presbyterian papers injected their own violent note. The *Perthshire Courier* considered Irish Nationalism the triumph of crime and popery. In 1885 it had given its approval to a compilation of Liberal defects which included:

1. Because Mr Gladstone worshipped images, assisted at the celebration of mass, knelt on a bare stone for a whole hour before an

¹ Holmes Ivory to Gladstone, 2 July (2 letters) 1886 (Add. MSS., 44, 498, f. 109); Morley, op. cit., iii, 344.

² *Glasgow Herald*, 5 July 1886.

³ *Ibid.*, 12 June 1886.

⁴ D. C. Savage, 'The Origins of the Ulster Unionist Party' in *Irish Historical Studies*, xii (March, 1961).

⁵ *Minutes of the Assembly*, 1886, p. 104; *Northern Whig*, 5 April 1886; (Dublin) *Daily Express*, 8 May 1886.

⁶ *The Presbyterian Messenger*, 4 June 1886; *The Christian World*, 13 May 1886.

⁷ *Presbyterian Churchman*, 1886, p. 222; 1887, pp. 174-5.

altar, on which were crosses and the likeness of the Virgin Mary, drank holy water, and kissed crosses and hands of Popish priests, when acting as British Ambassador in the Ionian Islands.¹

In 1886 it wrote a good deal about Irish rebels and 'the domination of priests and Popery'.²

Meanwhile others were rallying to the cause of home rule. The executive of the Scottish Land Restoration League advised its followers to support the home rule bill but pressed for the withdrawal of the land purchase proposals.³ The core of the Highland Land Law Reform Association supported Gladstone as one might have expected in view of the connection of the leaders with the National League. The Liberals had also passed legislation to assuage some of the crofters' grievances. Macdonald told one audience that:

He supported the principle of Home Rule to Ireland, but would oppose the Land Purchase Bill. He thought Highlanders should do all in their power to get justice done to the Irish. The Irish members were the best friends they had in the House of Commons in getting the Crofters Bill improved, and the Irish suffered from the same unjust land laws as the Highlanders.⁴

For all practical purposes the crofter leaders became the Liberal flag-bearers in the Highlands, although they did not officially make their peace with the party until 1892. Of their allies, Macfarlane and Cameron remained Liberal; Mackintosh and Barclay became Liberal Unionists. Mackintosh was not opposed at the election, although the Portree Land Reform Association censured him 'in so far as he has opposed the Home Rule Bill, and thus acting against the interests of the best friends of the Highland people, and denying justice to Ireland'.⁵

A Liberal stood against Barclay in Forfar. *The Glasgow Herald* found no difficulty in supporting the erstwhile enemies of property.⁶

Apparently the Liberal party leaders did not trust the National Liberal Federation of Scotland or the crofter leaders to organise the election. Rosebery and Marjoribanks created a new organisation, the Scottish Association to Promote Self-Government for Ireland. It was formed on 8 June at a meeting

¹ *Perthshire Courier*, 20 October 1885.

² *Ibid.*, 3 February, 27 April, 6 July 1886.

³ *Glasgow Herald*, 17 June, 15 July 1886.

⁴ *Ibid.*, 12 July 1886.

⁵ *Ibid.*, 15 June 1886.

⁶ *Ibid.*, 6 July 1886.

of Scottish peers and members of Parliament at Marjoribanks's town house. Rosebery became President, Marjoribanks Secretary, and Lords Huntley, Elgin, Aberdeen, and Dalhousie Vice-Presidents. Thirty-three Liberal members adhered to it, and it issued its programme on 11 June. It did not 'propose to interfere directly with the elections or the selection of candidates, but to confine itself to the diffusion of information among the Scottish constituencies on the Home Rule question'.¹ No records survive of this group, but it is difficult to believe that Marjoribanks, the shrewd Scottish Whip, meant it solely as a society for the diffusion of knowledge. It would seem to be another attempt by the parliamentary Liberals to ensure their hold on the party machinery.

The Liberal Unionists decided to create an organisation separate from the Conservatives. Two branches of Hartington's National Liberal Union were formed, one in the West and the other in the East and North. Sir T. Colebrooke, longtime Liberal member for Lanark, headed the former²; T. D. Brodie of Gairdoch,³ on the recommendation of R. B. Finlay,⁴ was appointed to lead the latter. These committees kept in touch with the headquarters in London which supplied literature and candidates. One of the stars of the Scottish organisation was Sir William Thomson, later Lord Kelvin. He was a member of the central committee of the West of Scotland Branch,⁵ and he helped to form a Liberal Unionist Association in Glasgow Central to aid the Conservative candidate.⁶ He spoke in Glasgow, Govan and Greenock, and was chairman of the meeting held in Glasgow by Goschen in the early part of July.⁷ The Conservatives were instructed not to interfere with the Liberal Unionists,⁸ an injunction which

¹ Ibid., 10, 11 June 1886.

² Sir T. Colebrooke (1813-90). Son of H. T. Colebrooke, F.R.S.; educated at Eton; M.P. Taunton, 1842-52, Lanarkshire, 1857-68, North Lanark, 1868-85; defeated N.E. Lanark 1886; President of the Royal Asiatic Society.

³ T. D. Brodie. Eldest son of J. C. Brodie of Idries, D. L., Forfar and Midlothian, Writer to the Signet, Crown Agent for Scotland 1847-58; senior partner John C. Brodie and Sons of Edinburgh; principal proprietor of the Carron Iron Company at Falkirk; estates in Forfar and Stirling. Undated memorial signed by the Duke of Richmond and Gordon, Lords Montrose, Kinnaird, Stair, and Tweedale (Salisbury MSS., Christ Church, Oxford).

⁴ Finlay to Hartington, 19 April 1886 (Chatsworth MSS., 340.1984, Chatsworth House).

⁵ *Glasgow Herald*, 28 May 1886.

⁶ Ibid., 17 April 1886.

⁷ Ibid., 22 April, 2, 9 July, 9 June 1886.

⁸ Statement of Akers Douglas (*The Times*, 14 June 1886).

they obeyed loyally. They had every reason to do so because their own efforts had met with a meagre response in past years. They concentrated on the dozen seats in which they stood a fair chance.

The results justified the Conservative strategy. The Liberal Unionists went back to Westminster seventeen strong, including five new members. Among the more striking victories were those of R. B. Finlay in Inverness, J. W. Barclay in Forfar, James Caldwell in St. Rollox, and A. C. Corbett in Tradeston. The Conservatives won twelve seats, including both universities. The most serious Unionist incursion was in Glasgow, its suburbs and the surrounding districts. There they carried Tradestown, St. Rollox and the Central division of Glasgow; the suburban seats of Govan, Partick and Renfrew East; and Greenock. Although the Liberals held a safe majority, the Conservatives and Liberal Unionists were now firmly entrenched and were to remain so for the next twenty years.

The defections from the Liberals, while costing the party a fair number of seats, also made it so much more homogeneous that the National Liberal Federation of Scotland and the Scottish Liberal Association could amalgamate later on in the year. But the fury of the disendowment campaign in 1885 had alarmed many moderate Liberals. To them it had two unpleasant sides. The Free Church and United Presbyterian ministers seemed engaged in a mission of plunder, a mission preached with the zeal of a crusade, whose object was the pillage and destruction of a rival church. Many were also alarmed by the assault on private property implied in this campaign, and wondered where it would stop. So long as Gladstone and his allies could control the situation, the moderates were prepared to continue their support. But when home rule was added to the burden, many came to consider the Liberal Unionists and Conservatives better defenders of property, patriotism and Protestantism than the Liberals.

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Mobility of Tenants on a Highland Estate in the early Nineteenth Century

RURAL society and settlement in the Highlands of Scotland are known to be topics of supreme importance in the study of Highland affairs in the past, particularly during the eighteenth and nineteenth centuries when the traditional clan society was giving way to a money economy and when the modern crofting system was in process of emerging over the north-west Highlands and Islands. New facets to the complex of this rural society are constantly being discovered. One such facet is here described but, from the nature of the available evidence, a full explanation of it is impossible and it remains enigmatic. Some suggestions are, however, presented.

Examination of a set of estate papers, especially leases for the period from 1800 to 1830, has shown a considerable mobility upon the estate of Inverneil in the parish of North Knapdale.¹ More exactly, the farms were those in the estate of Ross (then a part of Inverneil) on the Taynish peninsula on the west side of Loch Sween, together with the islands of Danna and Ulva. Topographically the area is extremely fragmented and isolated, though the relief is not considerable; and in many places the old crystalline rocks and fringing raised-beach deposits have broken down into excellent soils supporting good pasture and what, in the nineteenth century, was considered good arable land. The area is south of the present crofting region. It is doubtful if crofting, as it now exists, ever attained any importance in Knapdale, the term crofter being restricted, as on other Highland estates at the period and earlier,² to estate servants holding an acre or two of arable

¹ Inverneil Papers: Sets of Danna, Ulva and Taynish, 1803, 1810 and 1815-16; Sets of Farms: Taynish, Danna and Ulva, 1819-20.

² Riddell Papers: *Report by Thomas Goldie Dickson . . . on the Estates of Ardnamurchan and Sunart . . . in 1852*, p. 2 (Department of Agriculture for Scotland). J. Mason, 'Conditions in the Highlands after the 'Forty-Five', in *Scottish Historical Review*, xxvi (1947). [*Old*] *Statistical Account*, viii (1793), pp. 96-97; Kilmartin.

and a cow's grass, the grazing generally being held on a nearby farm. Certainly anything approaching township organisation appears to have been lacking in Knapdale once runrig had disappeared.¹ Today the area is dominantly a stock-rearing one with few sheep, unlike much of the remainder of the two Knapdale parishes. The farms are now all single tenancies, but a century ago many were still double tenancies and a few were multiple tenancies held in runrig.² At the beginning of the nineteenth century the farms were held, jointly and equally, directly from the proprietor by three or four tenants, a feature common throughout both North and South Knapdale.³

The tenant farmers lived in small clusters of houses, or clachans.⁴ Each clachan normally contained five or six houses, for, besides the joint-tenants, one or two cottar families lived on each farm. These cottars were normally tradesmen such as smiths, tailors or weavers, though occasionally an outlying or poor piece of arable ground was constituted a pendicle and given to one of these cottars who held either directly from the proprietor, or occasionally as a sub-tenant. In one or two cases, as on the farm of Coishindrochid, these clachans grew almost to the proportions of a village. The estate was served by a single village at Tayvallich where weavers, a smith, a doctor, a teacher, a minister and an inn-keeper all provided services; in the early 1840's it boasted of 190 souls.⁵

The leases for the farms provide a great deal of valuable information as to prevailing social and economic conditions in the area. There were twenty-two farms involved, excluding Tayvallich and some pendicles. Rents were rising but not yet exceptionally high, and, although the leases enumerate the rents partly as money payments and partly as payments in kind, from rent-collection lists it seems clear that the total rent was paid in money. What evidence exists suggests that the

¹ T. M. Owen, 'The Role of the Township in a Hebridean Crofting Economy' in *Gwerin*, ii, (1959), pp. 147-61.

² Inverneil Papers: Valuation of the Estate of Inverneil in North Knapdale by William Hosack Barcaldine, 1867, and Valuation of Farms on the Estate of Inverneil in South Knapdale . . . 1869.

³ [*Old*] *Statistical Account*, vi (1793), p. 261: North Knapdale; *ibid.*, (1797), p. 308: South Knapdale.

⁴ The term 'clachan', which is found as a Scottish place-name, is coming to be used to signify, in both Scotland and Ireland, a cluster of farm houses and associated out-buildings usually grouped without any formal plan. In Scotland these were the settlements of joint-farms and appear to have been a concomitant of runrig (See V. B. Proudfoot, in *Gwerin*, ii (June 1959)).

⁵ *New Statistical Account*, vii (1844), p. 638: North Knapdale.

tenant farmers seldom experienced great difficulty in paying their rents. Services were still exacted, but the proprietor appears to have used these solely in the interests of his tenants, though at the same time improving the condition of his estate. Stone-dyke building was going on apace, both at the expense of the proprietor and also at the expense of the tenantry. Some of the later leases, especially, are 'improving' leases of this nature. In every case the leases make it clear that there was no intermediary between the proprietor and the man working the land. The class of tacksmen had disappeared. Earlier documents in the Inverneil Papers show that, although some tacksmen had existed during the latter half of the eighteenth century, the normal mode of tenancy was that of joint-tenants holding directly from the proprietor. This is also evident on the Kilberry estate in South Knapdale from the 1730's onwards, the rentals for which have been examined.¹ Similarly the duke of Argyll, on his estates in Kintyre, was letting farms directly to joint-tenants before the middle of the eighteenth century and gradually removing tacksmen.² This is in contrast to areas to the north such as Skye where, until well into the nineteenth century, the tacksmen were an important middle class in society.³

New leases were granted on three occasions, in 1802-3, 1810-11 and 1819. The first leases were for seven years and the two following sets for nine years each. From other estate documents there appear to have been few changes in tenancy between the granting of leases, certainly no more than would be expected from deaths and other changes in the normal run of events. The sets of leases are not wholly comparable. The first and last sets are almost complete, but the middle set is fragmentary. However, comparison of one set with another allows an almost total picture to be drawn of the changes in tenancy over the estate between 1800 and 1830, that is, over approximately a generation. Every lease gives the full name of each tenant and also his previous residence or holding. It is immediately clear if a tenant was moving into the estate from outside. A typical lease reads:

¹ Kilberry Rentals, 1734-77. 4 vols.

² A. McKerral, 'Early Emigration from Kintyre to America' (Kintyre Antiquarian Society, No. K.A.S./257, p. 2); unpublished MS. in Campbelltown Museum.

³ M. D. MacSween, 'Settlement in Trotternish, Isle of Skye, 1700-1958' (unpublished B.Litt. thesis, Glasgow University, 1959).

'The Town and Lands of Arinafadbeg . . .
... Set to John McGugan, possessor there
John Taylor in Barbea Ross
Hector McLean in Keills
Archibald Smith in Barbreck' equally between them.

The total rent to be paid was £86 sterling, and, as was normal, the tenants were tied to the estate mill at Duntaynish and to one of the estate smithies, either at Tayvallich or at Coishindrochid. This lease was granted on 8 May 1819; Barbea Ross and Barbreck were other farms on the estate, and Keills was a farm on the neighbouring estate on the peninsula west of Loch Sween.

The twenty-two farms contained about seventy tenancies but the number fluctuated—for instance New Ulva decreased from three joint-tenants to a single tenancy in 1819. In 1802-3 there were twenty-one changes of which thirteen involved tenants new to the estate, while thirty-five tenancies showed no change. In 1819 there were thirty-one changes, while thirty-nine tenants continued in their tenancies, or at least remained on the same farms though possibly changing the land they worked. These must be regarded as minimum figures only, for details are lacking in one or two cases. The total changes in 1819 represent alterations in almost half of the tenancies on the estate—far more than could be accounted for by deaths, by normal succession as allowed in the leases, and by other common causes of change. Clearly considerable movements were taking place, but it is surprising, especially in the later leases, how few new tenants were coming into the estate. Most of the incomers were from neighbouring areas in mid-Argyll, though one came from a Loch Aweside parish and another from Glasgow. While they were only admitted to the estate if known to be proficient farmers, there appears to be no correlation between incomers and the development of agricultural improvements. The incomers became involved in later internal changes within the estate equally with those who were already Inverneil tenants.

There is a further point to be noted. When we examine the total number of changes per farm over the whole period, we find that those farms experiencing fewest changes were among the most inaccessible at the south end of the estate and included the island of Danna (farms: New Danna, Mid Danna

and Damnanacloich which, respectively, had three, four and four tenants, and six, none and three cottars each), Barbea Ross and Coishindrochid. These farms were still in runrig and even as late as 1867-9 they were described in an estate valuation as being the only farms remaining under this system on the estate.¹

Whether or not the changes in tenancy indicated in the leases meant in every case a change of abode is uncertain. Where a change involved contiguous farms, for example tenants moving from Turbiskell and Barnashallog to Upper Fernoch, an actual change of house would have been imperative. Many of the changes were over distances of five miles or more and, in view of all the evidence available, a change of house seems likely in every case. Also, there was written into every lease a clause stating that houses and out-buildings were to be left in a tenantable condition at the termination of the tenancy and that the tenant was obliged to remove himself without notice at that period. Such removals must not be thought of in modern terms, for the houses of the period were generally small thatched cottages and the material possessions of the tenantry were of a simple nature and not over-plentiful.

Any attempt at explanation of this changing between farms within the one estate can be at best partial.

While the estate papers give much evidence as to prevailing wages, prices and values, and also as to the proprietor's finances, too little is known about the financial and social circumstances of the tenant families. Only incidentally are there references to these changes, which normally pass unnoticed in the estate correspondence, though there is a hint that the proprietor, through his factor, may have been responsible for the ultimate placing of his tenants—an earlier letter, in 1786, for example, clearly shows his preferences in the letting of the farms of Barnashallog and New Danna.² Presumably an economic incentive was involved somewhere. There was never a shortage of tenants for the available holdings, and families appear to have been very content with general conditions on the estate; though many of them changed their holdings, most stayed within the estate. Much later, at the beginning of the twentieth century, when the farms had

¹ Inverneil Papers: Hosack's Valuation, 1867.

² Inverneil Papers: Letter Book on Sir Archibald Campbell's Business, 26/8/1786-2/11/1787, p. 14.

become single tenancies, it was claimed that 'the majority of tenants have been either themselves or their parents on the estate for a great number of years and there has never been any difficulty in finding fresh tenants when vacancies occur'.¹

Without detailed information as to the financial status of individual families, it is impossible to say if economic betterment was the sole motive, or even one of the motives, for these changes. From the comparison of the number of tenancies with a summary of the acreages of the farms,² it is unlikely that very considerable differences existed between one tenancy and the next. Admittedly mere size is an insufficient basis for argument; fertility and exposure are also important factors. The rearing of Highland cattle was the chief source of income and accordingly the extent of grazing attached to the farms was important. If there was no considerable difference in the sizes of the holdings, then fertility might be the operative factor, but this seems to be invalidated by the fact that some tenants moved from holdings on the richer raised-beach soils to holdings on the poorer soils developed on the crystalline rocks. The greater fertility of the raised-beaches might be thought an attractive feature, and yet almost all of the farms on which runrig lasted longest and which suffered fewest changes in tenancy in the period under review are on the raised beaches. If fertility (actual or potential) were the important factor, one would have expected the proprietor to have insisted on the more rapid improvement of these farms.

The introduction of improvements in agriculture must not be overlooked. Many of the leases contain clauses relating to the planting of wood, and the draining and enclosing of arable land. In a period of rising rents the uneven development of improvements over the estate may, for a time, have made some holdings more attractive than others. Alternatively, the relatively rapid improvement of the estate, from about 1780 onwards, may well have been made possible by the short leases and the frequent and large turnover of tenantry. In comparison with other Argyll estates, such as Kilberry in South Knapdale, the duke of Argyll's farms in the parish of

¹ Inverneil Papers: Note of Detailed Rental and Burdens of Estate of Ross, 1905.

² Inverneil Papers: Contents of the Different Farms in the Estates of Tynish, Ulva and Danna, Surveyed by John Wilson, 1785.

Southend, or the Riddell estate in Ardnamurchan in the north, where leases of between eleven and nineteen years were common, the leases on the Inverneil estates were for short periods varying between five and eleven years. Indeed, some farms on Inverneil were held by verbal agreement only, particularly before 1800, and even at the end of the nineteenth century occasional holdings were on an annual basis. This may seem odd in view of the fact that there were many advocates, in the Highlands, of long leases as an encouragement to improvement.¹ The close and kindly interest taken by the proprietor of Inverneil in the running of his estate was probably sufficient reason for the rapid improvement, despite the relatively short leases.

When the estate was purchased on behalf of Colonel (later Major-General Sir) Archibald Campbell in the 1770's, runrig was already disappearing. This is evident from material contained in rentals of Taynish between 1779 and 1794,² some of which refers to the period before the estate was sold. By 1800 runrig was disappearing rapidly, and by 1830 almost all of the farms—with exceptions already noted which remained in runrig until 1869 or later—had been enclosed into separate tenancies, though still nominally joint-farms and with the tenant families still living in the old clachans. Runrig involved the periodic reallocation of rigs in the infield and outfield to ensure that each joint-tenant had a fair share of the farm during the period of his tenancy. Consolidation of holdings and development of improvements inevitably entailed a cessation of such changes in the holding of the arable, and it is tempting to explain the tenancy changes, that we have noted from the leases, as being a continuation of the custom of changing land on the part of the individual farmer. Now, such changes could occur only at the end of the leases and not during the period of tenancy, and they entailed a move to another house, unless the tenant merely changed his holding on the one farm at the giving of the new lease. The latter, nearer to the practices of runrig, would remain unrecorded in the leases, and other estate documents give no clue.

¹ Riddell Papers: Low's Valuation of the Estate of Ardnamurchan and Sunart . . . 1807, Remark on Length of Leases. [*Old*] *Statistical Account*, viii (1793), p. 106; Kilmartin. *Ibid.*, vi (1793), p. 176; Ardchattan and Muckairn. *Ibid.*, viii (1793), p. 349; Glenorchy and Inishail. *New Statistical Account*, vii (1844), p. 528; Kilmore and Kilbride.

² Inverneil Papers: Rentals of Taynish and Gigha, 1779-94.

It is becoming clear, from recent work both within and out-with Highland Scotland, that this social mobility in rural communities is not an isolated phenomenon, either in time or space. Examination of rentals for the Kilberry estate in South Knapdale¹ has revealed almost equally numerous changes between 1735 and 1766. On the six-merkland of Kilberry, only the years 1740, 1742, 1747, 1760 and 1763 showed no change in the twelve tenancies on the farm. Admittedly, in some years, only a single change was experienced, but, in others, three or four occurred, and the minimum of forty-seven changes over the period of thirty-two years cannot be explained solely on the grounds of normal family succession. Here the evidence is insufficient to prove actual shift of abode, for the rentals seldom give any indication of the origin or destination of the tenants moving at a change. To the north, it has been shown that tacksmen on the MacDonald estates in North Skye were moving about between tacks, but, again owing to the nature of the evidence, the same cannot be said of the sub-tenants who actually worked the land. The evidence here comes from a comparison of rentals for 1721 and 1733.² In Orkney, Professor Miller has shown similar movement of farmers, within the past few decades, from smaller to larger holdings, both within the islands themselves and from Orkney to Aberdeenshire. The motive here was one of economic advancement.³ Outwith Scotland, Mr Mitchell has shown that in Devon, in the nineteenth century, there was an analogous movement of farmers from smaller to larger holdings, accompanied by a change in social status.⁴

Mobility in a rural community in northern Britain, such as that here discussed has hitherto received no close examination. In Orkney, it may still be a feature of rural life; but in Highland Scotland it appears to have been related to multiple tenancies, and, with the rise of the single tenancy, it died a natural death. Whether it was a projection of runrig practices into a newly organised rural community, or whether it was solely due to short leases and other conditions peculiar to Inverneil, remains to be seen. Considerable mobility certainly existed, but a full

¹ Kilberry Rentals: 1734-77.

² MacSween, *ut cit.*, p. 35.

³ R. Miller, 'Orkney: A Land of Increment', in *Geographical Essays in Memory of Alan G. Ogilvie* (ed. Miller and Watson, 1959).

⁴ D. Mitchell, 'Social Mobility in Nineteenth-Century Devon', in *Agricultural History Review*, vii (1959), pp. 108-9.

ROSS ESTATE — TENANT MOBILITY, 1819 - 1820

A. Cottars, Pendiclers, etc. B. Tenants

1810 - 1819	B	A	Changes	A	B	1820 - 1829
Barbea Downie	?	?		?	?	Barbea Downie
Tayvullin Scotnish		2		1		Tayvullin Scotnish
Arinafadbeg	4	1		1	4	Arinafadbeg
North Scotnish		1		1		North Scotnish
South Scotnish		2		2		South Scotnish
Kantallan		5		5		Kantallan
Tayvallich		8		8		Tayvallich
Duntaynish & Barmore	?	?		?	?	Duntaynish & Barmore
Turbiskell	3	4		4	3	Turbiskell
Barnashallog	?	?		?	?	Barnashallog
Upper Fernoch	2	1		1	2	Upper Fernoch
Mill of Ross		2		2		Mill of Ross
Barbreck	4	1		1	4	Barbreck
Nether Fernoch	3	1		1	3	Nether Fernoch
Barbea Ross		2		2		Barbea Ross
Drimnagaul		3		3		Drimnagaul
North Ardbeg	3	1		1	3	North Ardbeg
Barrahormaid		4		4		Barrahormaid
South Ardbeg		2		2		South Ardbeg
Kilmory		2		2		Kilmory
Achahoisin		2		2		Achahoisin
Glacknamuick		1		1		Glacknamuick
Coishindrochaid	4	2		2	4	Coishindrochaid
Old Ulva	4	1		1	4	Old Ulva
New Ulva		3		1		New Ulva
New Danna	3	6		6	3	New Danna
Mid Danna		4		4		Mid Danna
Dannanacloich	4	3		3	4	Dannanacloich
Keills						
Kilmun, Dalavich						
Glasgow						

explanation must await comparative information from other areas.¹

R. A. GAILEY.²

APPENDIX

The diagram represents an attempt to show graphically the changes which took place when new leases were granted on the Ross estate in 1819-20. The farms are represented in geographical order from north to south in each column. The left-hand column represents the position under the old leases, the right-hand column that under the new. The lines joining the columns represent cases where tenants changed from one holding to another. Tenants who remained in the same possessions under both old and new leases are not shown in the diagram. Each line represents one tenant moving. It is possible that some changes have been missed in Barbea Downie and Duntaynish and Barmore, where full information is not available. The diagram makes clear two points: the great number of changes taking place, and how few incomers there were from outwith the estate, when new leases were granted at this period. The farm of Keills is, in fact, at the south end of the Tayvallich peninsula, and the movement from Keills to Arinafadbeg is essentially of the same character as the movements within the estate.

¹ The estate documents from which this rural mobility was found to exist are in the possession of J. L. Campbell of Canna, and the Kilberry Rentals, which provided some comparable material, are at Kilberry Castle in the possession of Miss Marion Campbell. To both the author is deeply indebted for permission to work from these sources.

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Reviews

EARLY SCOTTISH CHARTERS¹

THIS is a landmark in Scottish medieval historiography, being the first of a series of eight volumes by various editors, in which it is planned to publish the *acta* of the Scottish kings, guardians and governors down to 1424. Mr Barrow has already made valuable contributions to scholarship in this field, and analysis of the charters and briefs now collected has enabled him to make a fuller study of Scottish history and government in the critical middle decades of the twelfth century. In addition a good deal of light is thrown upon the English lands of the Scottish kings, since approximately a third of all the texts and notitiae printed by Mr Barrow relate to them.

The publication of *Regesta Regum Scottorum* has been opportunely undertaken. A work of such fundamental importance calls for magisterial and definitive editing, and the time is now ripe for it. A hundred and sixty years ago the Deputy Keeper of the Records of Scotland pointed out the need to collect the charters of the Scottish kings prior to Robert I, for the absence from the Register House of records earlier than 1306 constituted a calamitous lacuna in the materials for Scottish history. Circumstances then seemed propitious, because interest in medieval records was quickening, after a long period of comparative neglect by scholars since the great days of Dugdale, Hickes, Wanley, Madox and Hearne. Sir Joseph Ayloffe had produced his *Calendars of Antient Charters* in 1774, Abraham Farley's monumental edition of Domesday had been published in 1783 and now, under the aegis of the Record Commissioners, work was proceeding on calendars of charter, close and patent rolls preserved in the Tower of London, publication of which began in 1802. It was fitting that Scotland should not lag behind in the publication of her records, though the task was in many ways a more difficult one. The *Diplomata Scotiae* was already in existence, and the 1629 Index of records of charters was edited by William Robertson in 1798, at the desire of the Lord Clerk-Register, Lord Frederick Campbell, with a view to the discovery of missing records. The progress made was due very largely to the labour and influence of

¹ *Regesta Regum Scottorum I: The Acts of Malcolm IV, King of Scots, 1153-1165, together with Scottish Royal Acts prior to 1153 not included in Sir Archibald Lawrie's 'Early Scottish Charters'*. Edited by G. W. S. Barrow. Pp. xvi, 339. Edinburgh: The University Press. 1960. 63s.

that distinguished record scholar and unfortunate official, Thomas Thomson, Depute Clerk-Register 1806-39. In the preface to his folio edition of the Register of the Great Seal in 1814 he outlined an official scheme for the collection and publication of early Scottish royal charters, but the project seems to have fallen by the way, and it was not effectually resumed for nearly a century.

The task, if it were to be done systematically, was a formidable one for an age which still lacked so many essential aids to scholarship in the form of catalogues, indexes and easy access to all the relevant manuscript collections, archives and muniments. Perhaps the most valuable contribution of the nineteenth century as a whole to the study of charters in Great Britain was the provision of such aids by the printing of calendars and texts of all kinds in official publications and in those of learned societies. In this work Scotland has an early and honourable record, not least because of the contributions of such societies as the Maitland and Bannatyne Clubs. So it was that when, in 1905, Sir Archibald Lawrie came to publish his *Early Scottish Charters Prior to 1153*, he could say, 'The task has been comparatively easy, because nearly all the charters etc. had been printed.' This statement is a measure alike of a notable achievement and of certain shortcomings in early twentieth-century charter scholarship. Mr Barrow has been able to add to Lawrie's collection of 271 charters and royal writs the texts of about forty further charters prior to 1153, in addition to notitiae of some forty-seven acts which were certainly or probably the subject of written records now lost. More than three-quarters of all these relate to English lands, which is, indeed, very much what Lawrie himself anticipated. This is not to say either that Lawrie is to be disparaged for the incompleteness of his collection or that Mr Barrow's is necessarily to be regarded as an exhaustive one. Known documents can still disappear and fresh ones have a happy knack of turning up. Mr Barrow was wise not to delay the publication of this volume till he could be confident that no documentary reference had escaped his net, especially as there will be opportunities of publishing *addenda* in the subsequent volumes of the series.

The evolution of charter scholarship inevitably lagged behind the collection and publication of documents. In 1800 there was three-quarters of a century's leeway to make up, and a vast amount of new work to be done, before sound canons of criticism and editorial methods could be established. It may perhaps be said that the more ambitious editors, whether systematic, like J. M. Kemble, or eclectic, like Benjamin Thorpe, were least successful in establishing, assessing and elucidating their texts, and their work has to be done over again. Some of those who edited cartularies and the like for publishing societies in England and Scotland made more valuable contributions to the historiographical use of charters from their rich stores of local

knowledge, even though their understanding of diplomatic was often exceedingly rudimentary, and their editorial method better suited to classical texts than to medieval records. It is fitting to acknowledge the value of such labours while we pay special tribute to the two pre-eminent Scottish record scholars of the nineteenth century, Thomas Thomson and Cosmo Innes. The last decade of the nineteenth and the first of the present century saw significant developments in this field. W. H. Stevenson, more than any other individual scholar, helped to establish the diplomatic of early charters and writs upon a sound basis, and the polemical Round brought a new forcefulness and ingenuity to the interpretation of charter evidence. It is to that day and generation that Lawrie's *Early Scottish Charters* belongs. His collection, if incomplete, was systematic, the historical and genealogical annotation was valuable, and genuine scholarship was devoted to discussion of the authenticity and significance of the documents. Its faults were due perhaps to excessive reliance on printed texts, inadequate study of originals, and a diplomatic not yet fully developed, which led, among other things, to the bad editorial practice of 'normalising' texts. None the less, as a contribution to early Scottish history the work was, and will remain, of basic importance. Mr Barrow has corrections to make of Lawrie's work and points of disagreement with him, the exposition of which adds to the value of both books, but the significant thing is that these are not far more numerous. Sir Archibald Lawrie, in his day, wrought well.

The past half-century has brought striking progress in the study of records, especially of charters and writs. The patient labours of succeeding generations of scholars, many of whom are happily still active, have added greatly to the bulk of printed material, the mastery of diplomatic and sigillography and the perfecting of editorial methods. The methodology of charter study is now well established, and charter evidence is being used with new insight and impressive effect to illumine the darker regions of medieval history. Among Scottish record scholars one remembers particularly John Maitland Thomson, whose enthusiasm and influence contributed so powerful a stimulus to the development of medieval studies in Scotland, of which the planning of *Regesta Regum Scottorum* is an outcome. The editors have a great tradition behind them and, in as much as they are more favourably placed and better equipped than any of their predecessors, they must work to a more exacting standard. Mr Barrow does so.

Besides the additions to Lawrie's collection which have already been mentioned, this volume contains the texts of 161 charters and briefs of Malcolm IV, including 29 originals, and in addition a calendar of 52 acts certainly or probably recorded in official documents that have since disappeared. Each text is preceded by a short

abstract in English, and the manuscript sources and printed versions are recorded. Meticulous care has been taken with the texts. Mr Barrow has striven to reproduce the originals as faithfully as print will allow, short of the now unthinkable resort to record type. He has done so with a minimum of rationalisation, carefully noting exceptional characteristics, italicising all but the most conventional extensions and leaving marks of suspension or abbreviation where any doubt exists. The physical features of each original, seal (if any), method of sealing and character of the hand are described, and early endorsements are quoted. In the case of texts surviving only in copies, Mr Barrow generally follows the normal practice of selecting the text he considers best and noting significant variants. In some cases, however, Mr Barrow admits to the dubious practice of producing hybrids (*vide* the last paragraph on p. 128). It is indeed true, as he says, that 'after several years' close study of a homogeneous group of charters, it becomes possible, as it were by intuition, to tell a good text from a bad'. He is well aware that 'judgments of this kind are clearly subject to error, and weight must not be attached to them alone', and he is too conscientious a scholar to emend his texts without the utmost caution and publicity. None the less, one feels that hybridisation of texts, whether intuitive or not, is bad in principle, and ought to be renounced.

The immediately obvious faults in Mr Barrow's printed texts are very few and, even if more familiar use and careful combing of them may yield a small collection of *errata*, it is clear that scholars can accept them with confidence. The errors which leap to the eye are scribal, not editorial, as for example in No. 3, where the witnesses are wrongly given an ablative case-ending, and in No. 41 where 'Preterea homines de Eadem terra' is not precisely grammatical in its context. Again, in No. 12, one may wonder whether 'molenis', 'venatibus' and 'Teem' are due to the copyist's and 'acquietudinibus' to a printer's error, since all appear without comment. I wonder, too, if I may venture to propose an etymology for the word *Cumemans* (p. 63). Mr Barrow says that this is 'disowned alike by Gaelic and Germanic philologists'; and very properly, since in all probability it is Latin. The word *emansores* is well known in Latin legal texts as meaning deserters, people who stay away without leave, and the like. The addition of the prefix *con* would seem a very possible form of emphasis in medieval Latin, and the word might have been written in abbreviated form as *ċemans*. Is it not possible that the scribe of the Laudian manuscript, failing to understand the word, partially expanded it as *cumemans* instead of *conemansores*?

The arrangement of the charters in this volume is basically chronological. Such an arrangement is notoriously difficult when the dates of a great many charters cannot be narrowed to a single

year, or even within two or three, while to some—eleven in the case of Malcolm IV—only the limit-dates of the reign can be assigned. The inevitable consequence is that the documents cannot be placed in anything approaching a true chronological sequence or relationship. The undateable acts of Malcolm IV have been placed at the beginning, not, as is more usual, at the end of the series, in order to emphasise the fact that the last half-dozen or so in the volume belong to the very close of the reign. It would be captious to criticise Mr Barrow for following, with this minor variation, what has become a common practice. When, however, a strictly chronological arrangement of early *acta* cannot be satisfactorily achieved, editors might perhaps consider whether it would not be better to group together, chronologically as far as possible, the charters and writs in favour of each individual beneficiary. This is, after all, the form in which, to a very great extent, an editor must collect and study his material. It produces series which are often highly significant, and in which documents frequently stand in a natural relation to one another, which is not so readily apparent when they are separated by the exigencies of a chronological arrangement that is, in a great measure, artificial. It is questionable whether such an arrangement could cause more inconvenience than the conventional one to those who wish to study the *acta* of a reign as a whole, and for most other purposes it might well be a positive advantage.

One further point of criticism does suggest itself. Mr Barrow gives us a very full list of the abbreviations by which sources and some secondary works are cited, and also a complete list of the sources of originals, facsimiles, manuscript copies and printed texts. What he does not give us is a comprehensive bibliography, which would have been most helpful to his readers.

The value of this volume is enhanced by a very full and scholarly introduction, dealing with the life and reign of Malcolm IV, Scottish royal government, 1153-65, an analysis of the acts of Malcolm IV, and the acts prior to 1153 with, in addition, skeleton itineraries of David I and Malcolm IV. It is convenient, and one hopes not contrary, to review these sections in reverse order.

That on the acts prior to 1153 is far more comprehensive than the title suggests, since it deals also with Malcolm IV's acts relating to the Honour of Huntingdon. The examination of the Scottish acts prior to 1153 includes a discussion of the authenticity of the hitherto unpublished charter of David I in favour of the burgesses of Montrose (No. 19) which if genuine would be the earliest royal charter for a Scottish burgh, or if, as seems more likely, it is a forgery of David II's reign based upon genuine claims, it is still of great historical interest and importance. Many historians will most value this section of the Introduction as a contribution to the feudal history of England in the twelfth century, for Mr Barrow discusses afresh the difficult

problems connected with the Honour of Huntingdon in Stephen's reign, as well as the history of the earldom of Northumbria and the district of Carlisle under David I.

Historians who make use of the book as a collection of source material, especially those whose interest is in the study of charters and writs, will find Mr Barrow's careful and detailed analysis of Malcom IV's acts the most important part of the introduction. It is a very valuable contribution to the study of twelfth-century diplomatic, of especial interest for the close correspondence of Scottish and Anglo-Norman usages, the no less significant differences between them and the influence of, for example, the practice of the papal chancery upon that of the Scottish kings. The historical significance of the development of the Scottish royal chancery is best explained in Mr Barrow's own words: 'The king's lieges . . . were growing accustomed to the expression of his will in a permanent, preservable form that was standard for the whole of his *regnum* or *terra*. The bearing of this on the process by which Moray, Scotia, Cumbria, Lothian and even Galloway were unified into the medieval Scottish kingdom can hardly be exaggerated.' Here one may perhaps venture to insert a plea to the editors of *Regesta Regum Scottorum*. Since the study of originals is of such vital importance in this context, may we hope that they will publish Vol. VIII, *Facsimiles of Scottish Royal Acts*, 1153-1424 as soon as possible, and not reserve it till the very end of the series?

Mr Barrow outlines the composition of the royal household, the administrative divisions with their local officials—which give rise to some difficult problems—and the nature of the royal revenue as far as it is possible to do so in the absence of any strictly fiscal record material. Finally, to end where he begins, there is a timely and judicious reassessment, in the light of the charter evidence, of the character and the historical significance of the reign of Malcolm,

*Splendide mendax et in omne virgo
Nobilis ævum.*

H. A. CRONNE.¹

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WORKS RELATING TO SCOTLAND¹

For nearly half a century Sir Arthur Mitchell and C. G. Cash's *Contribution to the Bibliography of Scottish Topography* (Scottish History Society, 1917) has proved a valuable source of reference for books about Scotland published up to 1916; and Mr Hancock's continuation to 1950 will therefore receive a warm welcome, tinged perhaps with some regret that the gap between the date of closure of the entries and publication covers a decade of outstanding importance in Scottish studies. The new work follows the same lines as the original—Part 1 lists the books and articles topographically and Part 2 classifies them by subject. The shorter period has, however, allowed scope for more detail; more information is supplied about the books, and an index has been furnished for each volume. As the title indicates, there is also a difference of emphasis. In Mitchell and Cash the topographical arrangement overweighed the subject classification by 447 pages to 230 pages; now the latter dominates, taking 359 pages to topography's 236 pages. From the point of view of the historian, this change should represent a decided improvement; but much obviously depends on the completeness of the bibliography and the effectiveness of the subject arrangement.

In a rather apprehensive preface the compiler himself disarms many points of criticism by disclaiming any pretensions to finality. For most of the information he has relied upon printed and manuscript catalogues in the great Edinburgh libraries. But his topographical lists might profitably have been sent round local librarians, even at the cost of slight additional delay: a bibliography of recent works on Ayrshire,² compiled by a local librarian, contains a number of items not to be found in Mr Hancock's list for that county. Nor is the position with regard to periodicals entirely satisfactory. In fact, articles from the most important historical journals are included, apparently because they happened to appear in the library catalogues; and the reader is left with the impression that a comprehensive survey of this material would not have cost too much additional effort. The 'Biography' section, so far as family history is concerned, must certainly be amplified by reference to Margaret Stuart's *Scottish Family History* (1930) and Miss J. P. S. Ferguson's *Scottish Family Histories* (1960); for it is noticeable that a number of genealogical works by American authors are omitted (as are some general historical works of importance, such as Helen Stafford's *James VI of Scotland and the Throne of England*). In fairness, how-

¹ *A Bibliography of Works Relating to Scotland, 1916-1950*. Compiled by P. D. Hancock. 2 vols. Edinburgh: The University Press. 1959, 1960. 84s the set.

² Ayrshire Archaeological and Natural History Society, *Collections*, 2nd series, vol. 4, pp. 240-9.

ever, it must be added that the bibliography as a whole contains many books published outside the British Isles.

Conversely, the net may have been cast too widely on occasions; for the method of compilation has led to the inclusion of items of marginal relevance. Much of the Parliamentary material seems to fall into this category, as do books on general British subjects. While it is true that the latter often contain Scottish material, great care should have been exercised in choosing those for insertion. It is surprising, for example, to find R. R. Reid's *Council of the North* under Scottish history; and it is doubtful if Philips' map-building puzzles, however interesting, should find a place in a serious bibliography. Admittedly, the work does not profess to be selective, but some qualitative assessment would certainly have shortened certain of the longer lists of books, notably that for Mary, queen of Scots.

The basic topographical arrangement of Part 1 is convenient, and there is also a helpful index of places. Many works, however, fall into several topographical categories, and the same book may be entered several times. Much duplication also occurs in Part 2 (identical entries are given for Robert the Bruce under 'Biography' and 'History'); and, apart from exaggerated respect for the format of Mitchell and Cash, it is not clear why the compiler did not attempt cross-referencing based on numbering the entries. Where he does insert cross-references in Part 2, these are too general to be helpful and are not consistently applied. Under 'Church and Religion', for example, there is a reference from 'Post-Reformation Church' back to 'General Works, etc.'; there is, however, no such reference from 'Early and Pre-Reformation Church', although the general works include articles on medieval church matters by the late Dr Easson.

Other considerations apart, these specialised articles have obviously been wrongly placed; and the subject arrangement as a whole is far from impeccable in this respect. There must always be a danger of mis-classifying when working largely from titles alone, but it is very surprising to find an off-print from *The Complete Peerage* on the Mar (Peerage) Case listed under 'Crime'. No doubt the word *Case* misled here; and it is evident elsewhere that the same words may conjure up different images for the bibliographer and the historian. Documents illustrating legal development published by the Scottish Record Society are very properly entered under 'Law', but similar material from the Scottish History Society is omitted from that section; a book on the *Manse Garden* appears under 'Church and Religion', although it may have deeper roots in 'Gardening'; and there is a touch of charming 'bibliomania' about placing a highly specialised study on Ptolemaic *Scotland* among 'General Works on Scotland', where it lies somewhat uneasily between *Old Scottish Conviviality* and *The Scottish Maid* (a volume of nude photographic studies). Even those with covenanting sympathies will note with

relief that *The Highland Host*, 1678, evades a possible topographical ambush to reach safe camp under the broad canvas of 'History: Post-Reformation Scotland', possibly because the author had the foresight to append a date to his title. That it failed to find a billet in 'Church and Religion: Covenanters' raises a doubt concerning the compiler's knowledge of Scottish history.

Generally speaking, the subject arrangement, although useful for the historian, falls far short of the Conyers Read model, where rational sections and sub-sections are based on an elaborate and carefully thought-out contents list. If the historian can hardly expect an ideal classification in a work not directed specifically towards him, he has at least the right to expect a more adequate index than is provided here. To bury the *Secret of Flodden* in 'History: Pre-Reformation Scotland' is entering quite sufficiently into the spirit of things, without taking the additional precaution of omitting 'Flodden' from the index.

The Edinburgh University Press have achieved a very clear lay-out from what must have been difficult material. There are, however, many small but irritating mistakes, both in authors' names and in titles and descriptions of books, which can only be attributed to perfunctory proof-reading: in the section on 'Law', for example, no less than five such mistakes occur on one page (Part 2, p. 217). It would be ungrateful and unfair, however, to dwell upon minor flaws which are doubtless inevitable in this kind of work.

Mr Hancock has certainly not removed the need for a selective bibliography of Scottish history built up on sound historical principles, but within his limits he has produced a very useful working-tool. That the historian will almost certainly find in it something relevant to his purpose is reason enough for gratitude; that he may take longer to trace the books than he expects will at least provide a breathing-space for the sometimes harassed staffs of those institutions to which students of unlikely places and subjects resort for guidance.

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SHORT NOTICES

SCOTTISH FAMILY HISTORIES HELD IN SCOTTISH LIBRARIES. Compiled by Joan P. S. Ferguson. Pp. xii, 194. Edinburgh: The Scottish Central Library. 1960. 21s.

Much Scottish history turns upon the parts played by individuals or by important noble families. Names like Wallace or Bruce, or Knox or Montrose, spring readily to mind; Campbells for long dominated the west, and Gordons the north-east; the 'Black' Douglasses at one time bestrode Scotland like a Colossus, and, at another time, so strong were the 'Red' Douglasses that 'none durst strive against a Douglas, nor yet a Douglas man'. Yet this or that noble house could dominate, near or far, only through the strength of its alliances and its 'following'—and its following was often secured by 'bonds of manrent' made with the smaller local families, the lairds, and 'ither siclyke'. Again, in the Highlands the whole system of society was based upon the family and the clan; and who, anyway, was this Stewart king in Edinburgh, when MacDonald was Lord of the Isles? Thus, in Lowlands and Highlands alike, family relationships were an important factor in many a decision; and a knowledge of who 'went with' whom is vital for any proper understanding of the past.

Miss Ferguson's list of Scottish Family Histories is accordingly an essential tool for every student of Scottish history. Yet it must be noted that it does not supersede Miss Margaret Stuart's *Guide to Works of Reference on the History and Genealogy of Scottish Families* (Edinburgh, 1930). Although Miss Ferguson has included the works that have appeared in the thirty years that have elapsed since the publication of Miss Stuart's *Guide*, on the other hand she has cast her net far less widely. She does not include (as Miss Stuart did) articles and notes in serial publications like *The Genealogist*, *Notes and Queries*, and *The Scottish Historical Review*; nor has she analysed any composite works such as, for example, the Reports of the Historical Manuscripts Commission. Her list is essentially one of books, and she has compiled it from reports of 'holdings' sent in by over seventy urban, county, university and institutional libraries—'impressive evidence of the harmonious spirit of co-operation prevailing among Scottish libraries'. It is to be regretted, however, that the National Library of Scotland was unable to co-operate, because the listing of its 'very extensive holdings' was 'quite beyond its resources in staff'; and those 'extensive holdings', we fear, may well include some works which, because they are not held by any of the other libraries, have thus escaped this list.

As an Appendix to her catalogue Miss Ferguson has provided a 'Selection of General Works dealing with Scottish Family History'.

Strangely this omits George F. Black's *Surnames of Scotland* (New York, 1946) and also Nisbet's *System of Heraldry*; and, while it includes James Coutts's *Anglo-Norman Peaceful Invasion of Scotland*, it does not include R. L. G. Ritchie's *The Normans in Scotland*.

W. CROFT DICKINSON.

THE WORLD OF ADAM SMITH. By C. R. Fay. Pp. viii, 97. Cambridge: Heffer. 1960. 15s.

JOHN MILLAR OF GLASGOW. By W. C. Lehmann. Pp. xvi, 430. Cambridge: The University Press. 1960. 60s.

Almost all that these two books have in common is their concern with the intellectual life of eighteenth-century Scotland. Mr Fay's interests are diversified, his book brief and eclectic; Professor Lehmann is interested solely in John Millar and in other matters only as they concern him, and he pursues his quarry, indefatigably and with a wealth of scholarly detail, through 156 pages of Introduction before presenting the reader with a reprint of Millar's *Origin of the Distinction of Ranks* and a selection from his other writings. Both authors, incidentally, quote poetry: Professor Lehmann a few lines from a poem by Joanna Baillie addressed to one of Millar's eight daughters, Mr Fay two stanzas from a poem written by the Dean of Derry to Sir Joshua Reynolds. The comparison is strongly to the advantage of the Dean, who is at least amusing.

Mr Fay also is amusing, although he can hardly be said to delight the reader with a book which is made up of little more than jottings on favourite Fay topics. Yet the topics are often important and the information none the worse for being out of the way. Transport is one great theme, just as it was for two of Mr Fay's intellectual heroes, Professor Innis and Adam Smith himself. Smuggling is another—Mr Fay, were he to find himself, by some strange chance, back in the eighteenth century, would know very well where to buy tobacco 'run' by Scots smugglers or how to avoid the coal duties by being conveniently 'forced oversea'. And there is an excellent 'review' (if that is not too conventional a term) of the original three-volume edition of Eden's *State of the Poor*.

Professor Lehmann's book is a very different matter. Its object is to restore John Millar, Professor of Civil Law in the University of Glasgow from 1761 until his death in 1801, to general academic recognition. There is no doubt that Professor Lehmann ought to succeed in this task, and there is little doubt that he will succeed. His Introduction, admittedly, is a rather tedious affair, seemingly written with an American undergraduate audience in mind to whom almost everything concerning eighteenth-century Scotland has to be explained; and these explanations, being necessarily in some cases brief, are often unsatisfactory (*vide* the one-paragraph analysis—a

short paragraph—of 'the peculiar character of Scottish religious life' on pp. 117-18, or the one page on Hume, p. 102). This Introduction is either too short or it is too long. And in any event Millar does not emerge from it as a distinct and lively character. The photograph of the Tassie medallion at the front of the book is much more impressive and convincing.

In the later pages Millar speaks for himself; and he speaks very well. Like Adam Smith, he owed much to Hume and to Hutcheson; but where Adam Smith evolved economic ideas from philosophical and legal foundations, Millar evolved social ideas. *The Origin of Ranks* deals with what Millar calls 'the natural history of mankind'. It is not history, because it is generalised; it is not conjectural history, because it is founded on a great variety of genuine historical records and on more or less correct historical interpretations. Yet it is everywhere historical, because Millar believed in evolution within society. In a striking passage he rejects the popular notion that 'peculiar institutions' are often owing to 'the casual interposition of particular persons . . . of singular abilities', such as Lysurgus or King Alfred. Not at all:

It is even extremely probable, that those patriotic statesmen . . . were at great pains to accommodate their regulations to the situation of the people for whom they were intended; and that, instead of being actuated by a projecting spirit, or attempting from visionary speculations of remote utility, to produce any violent reformation, they confined themselves to such moderate improvements as, by deviating little from the former usage, were in some measure supported by experience, and coincided with the prevailing opinions of the country (p. 178).

This is sceptical, and modern; as sceptical as Hume, more modern, in some respects, than Smith.

This book, an enlargement of an earlier work, was first published in 1779. A fourth edition appeared in 1806. It has not been published since. Millar's *Historical View of the English Government* came out in 1787 and for the sixth and last time in 1818. Professor Lehmann has no difficulty in showing that Millar was famous in his own day and influential for a decade or two after his death; James Mill, for example, read and admired his work. But why did later generations so largely ignore him? Unlike Sir James Steuart, who suffered a similar fate, he wrote well. Nor was the *Ranks* soon superseded by something better, as happened to Steuart's *Political Economy*. The explanation must lie along different lines. Millar was original; he was sensible; he was interesting; but he was not profound. He raised no great problems, fought against no established abuses, campaigned for no programme, undermined no one's faith. Does slavery exist? Yes, but men now have 'enlarged opinions',

the practice will be abandoned (p. 322). What about the problem of population? It is not a problem; commerce and manufactures cause population to increase; nothing more. After all, Millar believed in 'natural progress'. It is a comfortable doctrine and on its basis he wrote an interesting and decidedly original book. That is much; but it is not an achievement of the highest sort. *The Wealth of Nations*, says Mr Fay, is great stuff, but the Newcastle Customs show us life, real and entire. The empirical generalisations of John Millar, professor of civil law, are life at one remove, although they still deserve to be read.

A. J. YOUNGSON.

WIGTOWNSHIRE CHARTERS. Edited by R. C. Reid. Pp. lxi, 302. Edinburgh: T. and A. Constable, for the Scottish History Society. 1960.

The history of the south-west of Scotland has probably been more thoroughly explored than that of any other part of the country—a fact which is largely due to the energy of Dr Reid himself, who has written widely on the subject, and has encouraged others to work on it as well. There is, however, still much to learn about the area; and Dr Reid has now produced a further body of material by publishing documents which have survived in private archives and in the Scottish Record Office. None has previously been printed, and the volume is a substantial addition to the available sources, and a warning against the assumption, too often made in Scottish history, that everything worth having is already in print.

The collection is grouped roughly according to subject, though there is a long appendix of documents which defied classification. The principal sections deal with the cathedral of Whithorn, the abbeys of Glenluce and Soulseat, and the burgh of Wigtown; and each has a short introduction. The documents are mainly, as one would expect, of the fifteenth and sixteenth centuries.

Naturally, they vary in interest. Many of them are tacks and feus, which may be significant in the mass, but are tedious to read. On the other hand, the book contains a great deal of information on the church on the eve of the Reformation. Many of the documents illustrate the relations of the abbeys with neighbouring landowners; and such episodes as the 'visitation' of Glenluce by David, bishop of Galloway, make one think carefully about the realities of ecclesiastical politics in these days: the bishop was used as a cover for what was simply a plundering raid by some of the local nobles. A less important, but even more fascinating document, is a confession which describes in great detail the forgery of a Glenluce charter. There are few other accounts which let us see the process of forgery so clearly.

The editing is for the general reader rather than the scholar.

There is normally no information about the state of the documents, and only occasionally is anything said about the seal or the method of sealing. Further, many of the documents are given in translation; which is a pity, especially as the translations seem to follow much too closely the phrasing of the Latin.

The general introduction consists of three essays on the history of Galloway, mainly before the Wars of Independence. They deal with the feudalisation of Galloway, the feudal courts of Galloway, and the early church in Galloway. These essays cover a wide field, and the material is complex and often technical. Not everything in them will be generally accepted, but they are an attempt to deal with obscure subjects on which too little has been written.

This is a miscellaneous book, but some at least of the topics which it covers are of great importance.

BRUCE WEBSTER.

BURNS: A STUDY OF THE POEMS AND SONGS. By Thomas Crawford. Pp. xvi, 400. Edinburgh: Oliver and Boyd. 1960. 35s.

Mr Crawford has undertaken a patient, scholarly, imaginative and at times subtle scrutiny of Burns's non-lyrical and lyrical poems. The manner of procedure adopted is essentially that of the fashionable explication in which sources and analogues, tone and diction, the personality whether real or assumed, are all brought to play in the interest of a finer understanding. The treatment of 'Poor Mailie' and 'Tam o' Shanter' are especially happy instances. In both we are reminded first of the *genre* to which each belongs; in the earlier poem we are then put in possession of enough information about contemporary methods of sheep-farming to recognise that Mailie is 'urging her master to adopt a new agricultural system', before noticing 'fundamental religious, moral, psychological and educational problems' of Scotland on which the poem touches; in the later, we are helped to distinguish the different voices, Scots and English, used in narrating and in commenting upon the action, and to appreciate the function of the imagery. In discussing the songs Mr Crawford has to invoke an additional dimension; and valiantly he works (denied, presumably, the assistance of musical illustrations in his text) to fill the reader's ears with the air which Burns was striving to preserve by means of his verses. In future we shall all be constrained to consult Mr Crawford on a poem or song before we can feel satisfied that we fully understand and appreciate what Burns has written.

But a mere collection of critical estimates, however persuasive, would not make a readable book; and to handle Mr Crawford by his index would be to miss the argument that directs and informs his work. The arrangement is mainly chronological, but poems are

grouped nevertheless under such broader headings as 'The Kirk's Alarm', 'Poet of the Parish', 'Poet of Scotland', 'Poet of Democracy', headings that enable the author to discuss Burns's religious and political views, and the nature of his patriotism. Such discussions have taken place many times before; but what distinguishes Mr Crawford's treatment is the interest he takes in the personality of the poet expressing these beliefs rather than in the beliefs themselves. And the broadly chronological scope of the book reveals not a portrait but a continuous revelation of personality.

So many men of opposing views have been able to claim Burns for their side of the question that one might be tempted to abandon any search for consistency and assert that the poetry is dramatic in character. We have now ceased to credit the historical John Donne with the escapades of his 'Elegies' and with the attitudes adopted in the *Songs and Sonnets*; and we have been taught to recognise the traditional character of the satirist in many of the statements Pope makes in the first person. Was not Burns equally capable of adopting a poetic *persona*? Of course he was. It is only necessary to compare 'Tam o' Shanter' with the versions of the story written in a letter to Grose to recognise what widely different personalities Burns can assume at will; and Robert Anderson is one of several witnesses to the self-consciousness of Burns's assumptions. Anderson had taxed him with being more learned than he pretended to be, and Burns frankly admitted that it was 'a part of the machinery, as he called it, of his poetical character to pass for an illiterate ploughman who wrote from pure inspiration'. Mr Crawford, who quotes this passage of a letter from Anderson to Currie, also reminds us of how desperately Burns tried to be 'the *wrong* sort of National Bard':

Already in Ayrshire he had become one type of Scottish laureate; later, in Dumfriesshire, he was to develop into another, the collector and refurbisher of his country's songs. But in Edinburgh and at intervals afterwards he tried to be the Orpheus of the New Town, and of all that the New Town represented—an ambition which for him meant intellectual suicide and spiritual death.

Yet in spite of all this, Mr Crawford's argument is that there is a certain consistency in Burns's inconsistency. He finds it in the verse epistles, which give the impression of 'a mind in motion', grappling with a complex world:

In order to body it forth, Burns had to be, in himself, and not simply in play, both Calvinist and anti-Calvinist, both fornicator and champion of chastity, both Jacobite and Jacobin, both local and national, both anarchist and sober calculator, both philistine and anti-philistine;

and in a later chapter he uses 'The Twa Dogs' and 'The Vision' to

point Burns's recognition of the confusing and contradictory position of landed proprietors of the time, in the one poem impelled to rack-rent their tenants, in the other the leaders of national revival.

But if the contradictions are apparent in the non-lyrical poetry when one poem is chosen to set against another, in the songs one and the same poem may exhibit a reconciliation, and Mr Crawford is at his happiest in interpreting 'John Anderson my jo' as a harmonisation of opposite concepts and feelings, and 'My Love, she's but a Lassie yet' as a masterly combining of Burns's two functions, the preserver of the old and the creator of the new; for he shows how, in that song, 'out of isolated lines from other songs, and one entire verse apparently lifted from Herd, Burns has made a condensed comedy of small-town or rural life'. It is in his songs that Burns shows himself a very Janus of poets, rooted in the past and yet anticipating the future, bestriding 'the two worlds of art-song and folk-song, including and, in a sense, transcending both'.

JOHN BUTT.

THE SCOTTISH REFORMATION. By Gordon Donaldson. Pp. viii, 242. Cambridge: The University Press. 1960. 30s.

This is almost certainly the most important of the books which have been published on the Scottish Reformation in this quarter-century year. It not only presents an account of the Reformation in Scotland in a lucid and masterly manner, and provides besides a good deal of new information, but it also challenges all the traditional interpretations.

It has often been assumed that the Reformation in Scotland was sudden and fairly complete and, above all, that it was Presbyterian in the full sense in which the settlement under William III was Presbyterian. Others, says Dr Donaldson, 'have rejoiced in identifying themselves with the corrupt prelates of the old regime', and have been proud to be in succession from them, even if most Scotsmen and most Englishmen of the time reckoned that in them the true succession had obviously failed. Dr Donaldson also makes clear how slender are the foundations of the romantic picture of a pious Catholic population at that period, especially in the Highlands (pp. 26-27). All Scottish hearts, however, whatever their ecclesiastical allegiance, will be warmed to read of the extraordinary moderation of the Scottish as compared with the English Reformation. 'There was in Scotland in 1560 no act of supremacy, no act of uniformity, and a dozen years passed before there was any deprivation of clergy who declined to accept the Reformation. Not only so, but so many of them did not decline to accept it and took office as ministers, exhorters and readers under the new regime that personal continuity in the service of parishes was a very conspicuous feature in Scotland

as well as in England. Again there was in Scotland no dissolution of the monasteries' (p. 74). 'The Reformation was achieved . . . certainly with less bloodshed than was the English Reformation . . . not more than two and very probably only one priest suffered the supreme punishment' for long persistence in saying mass (p. 75). Few medieval churches were destroyed. Even the cathedrals were preserved where there was a population to worship in them (pp. 96-97).

The book begins with the state of the church in Scotland in the early sixteenth century. Here Dr Donaldson sees as the chief evil not immorality or the secular spirit but the loss by the parishes of their due income and the impoverishment of the parish clergy, so that there was no proper instruction of men or cure of their souls throughout the land. Certainly there was ground for scandal in high places, when the bishops and the king himself were seeking to put their natural sons into the higher offices in the church. But this was not typical of the clergy. Many of them were men who readily joined the Reformation movement, and among those who stayed by the old ways many were free from immoral or unscrupulous practices. The real weakness of the church lay in the diverting of parish revenues to abbeys and collegiate churches and other ecclesiastical funds, the consequent growth of pluralities, and delapidation of parish churches. The attempts to reform the old church from within did not face this basic economic weakness. All the powers were against such a change, the crown, the nobility and the authorities at Rome itself, who all had interests in maintaining their own revenues at the expense of the parishes. Even after the much more revolutionary change of 1560-7 it was difficult to achieve adequate remuneration for the parish ministers. Yet one wonders how far better financing of the parishes would have achieved a real reform apart from the new spiritual insights of a Patrick Hamilton and a George Wishart, about which the book says rather little.

Another important contribution which Dr Donaldson makes is the clear contrast he draws between the outlook of the first generation of Reformers, and the younger men ('rash young men' to some of Knox's friends) who were under the leadership of Andrew Melville. Even within the first generation Knox and his contemporaries came considerably to modify the proposals of the first Book of Discipline—when face to face with the actual circumstances of 1560-73. Thus they abandoned the proposals to finance the new church, education and poor relief by direct appropriation of the wealth of the old church. After long and difficult negotiations, involving many of the Protestant nobility and their kinsmen who still held the offices and titles and incomes of the older order, eventually the reformed church did accept many of the benefices of the old church.

Again the author sees much of the success in planting a reformed

ministry all over the country as due to the excellent work of the superintendents, and he raises the question of how far in 1560—and even more in 1572—reformed churchmen were viewing superintendents as only temporary, and not rather as belonging to the *bene esse* of the church.

The General Assembly also, in its first form, Dr Donaldson argues, was not a purely ecclesiastical body of ministers and elders, but a gathering of the estates of the realm, nobility, shire and burgh representatives and churchmen, to provide for the wellbeing of the Church. He doubts how far the magnificent words of Melville about two kings and two kingdoms in Scotland really reflected the mind of Knox or the older Reformers or is itself a real solution at all of the position of a national church. The Presbyteries, too, were neither in the original plan nor was the growth of them complete till well into the seventeenth century. In all these ways we are bidden review our opinions, and much supporting evidence is supplied.

However, this setting of traditional views on their head becomes too paradoxical to be probable when we are told that the first period of Reformation was 'congregationalism tempered with episcopacy and erastianism' (p. 147). And even more so when Dr Donaldson claims that the turning of the eldership into a life-long office made the elders clerics, and describes the General Assembly as 'an ecclesiastical oligarchy'.

The relevance of the book to present discussions is seen when the author maintains that 'the combination of bishops with presbyteries worked well, in the seventeenth century, combining the merits of the two systems' (p. 225), and he maintains that the breakdown of this 'happy result' was due chiefly to non-theological factors, like the Stewarts' lack of statesmanship, and the popular appeal, in consequence, made by the party of Melville. This is clearly a reasoned and reasonable point of view. There is, however, another interpretation which, too, can be reasoned and is reasonable. You may view the Reformation, as Dr Donaldson does, as the very necessary removal of abuses both in the lives of the 'kirkmen' and in the inadequacy of their theological education. But you can grant this—and be grateful for the clarity with which it is here expressed—and yet see the Reformation as the breaking in-of a new spiritual understanding of a more radical kind. A great many men felt then—however mixed their own motives—that 'after darkness there was now light'. While it may, in a sense, be true that 'the writings of reformers . . . are not the place to look for a cool and balanced verdict' and in contrast to their views to speak of more 'objective' sources (p. 2), yet their verdict may be the true one and more 'objective' than any others—if 'objective' and 'subjective' are the right contrasts at this point at all.

Here is a book with its learning and its new perspectives and its challenge to many traditions, which should be read by churchmen in Scotland of all the traditions, Presbyterian, Anglican and Roman. It is a book too for all those who are interested in the present discussion on the mutual understanding of the churches in these islands.

J. L. M. HAIRE.

ELIZABETH I AND THE UNITY OF ENGLAND. By Joel Hurstfield. Pp. xiv, 226. London: English Universities Press. 1960. 10s. 6d.

Professor Hurstfield deftly blends together within the chronological framework of a brief 'political biography' the many-sided history of the period and his own lively reflections. The theme is 'the restoration and preservation of English unity', and had it been possible to do fuller justice to the men—bishops, puritans and Roman Catholics alike—who sacrificed their own preferences in the national interest the story might not have ended on the note of 'disenchantment', when the cult of the queen had failed to solve problems and the government was 'running out of ideas'. Elizabeth's 'vacillation, ambiguities and conservatism' did not add up to a policy, and she remains as enigmatic as ever. Professor Hurstfield aptly remarks that her preposterous offer of Dudley as a husband for Mary Stewart, 'perhaps more than anything else in her reign, makes the historian feel that the intervening centuries . . . cut off something of our understanding of her mind and policy'. But some of his remarks about other sovereigns are incautious enough. For instance, the role of English patriot hardly fits Mary Tudor, whose dearest wish was to have a son who might rule England and Spain, and her 'headlong rush to dispose of heretics' may be seen not as evidence of 'failure of nerve' but as merely one manifestation of the ruthless brutality characteristic of sixteenth-century England. Of Mary Stewart, it is true that she had 'not enough craft, in any sense of the word' (though John Knox would not have agreed) and that 'what she had stood for all her life it is hard to say', but her choice of Darnley as a husband is seen as 'a calculated decision'. 'Scottish charm' is an odd characteristic to attribute to the gallicised Mary, but the admission that there is such a thing may compensate for the description of Scottish politics as 'squalid'. There is one odd error: the marriage of Mary to Bothwell had not been 'dissolved' in 1569, unless desertion had dissolved it, and it was never formally dissolved except by Bothwell's death.

G.D.

A List of Articles on Scottish History published during the year 1960

(See *ante*, xxxix, 161)

I. Dark Ages to 1100

- ANDERSON, M. O., 'Lothian and the early Scottish kings'. *Scottish Historical Review*, xxxix, pp. 98-112.
- CLARKE, J., and WILSON, A., 'The road into Ayrshire'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 136-61.
- GROSJEAN, P., 'La date du Colloque de Whitby'. *Analecta Bollandiana*, lxxviii, pp. 233-74.
- HENDERSON, I. M., 'The origin centre of the Pictish symbol stones'. *Proceedings of the Society of Antiquaries of Scotland*, xci, pp. 44-60. (Discusses stones in relation to early land units.)
- REID, R. C., 'More notes of Roman roads'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 123-35.
- STEVENSON, R. B. K., 'Notes on early agriculture in Scotland'. *Agricultural History Review*, viii, pp. 1-4.

II. Middle Ages: 1100-1560

- ANDERSON, W. J., 'Two documents of the Scottish Reformation. 1, The "Twopenny Faith". 2, The excommunication of Edinburgh Town Council, 1558'. *Innes Review*, x, pp. 287-94.
- ASHLEY, A., 'Odo, elect of Whithorn, 1235'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 62-9.
- BALFOUR-MELVILLE, E. W. M., 'Two John Crabbs'. *Scottish Historical Review*, xxxix, pp. 31-4.
- BARBOUR, R., 'Letter from Scotland'. *Theology*, lxiii, pp. 443-51.
- BARROW, G. W. S., 'Early East Lothian charters'. *Transactions of the East Lothian Antiquarian Society*, viii, pp. 39-45. (Two charters of William the Lyon.)
- BULLOCH, J. P. B., 'The mind of Aelred: Race and Class'. *Records of the Scottish Church History Society*, xiii, pp. 64-72.
- COCKBURN, J. H., 'The Scottish Reformation in outline'. *Society of Friends of Dunblane Cathedral*, viii, pp. 51-68.
- COWAN, I. B., 'The pre-Reformation parish churches of East Lothian'. *Transactions of the East Lothian Antiquarian Society*, viii, pp. 61-9.

- DAVIS, R. H. C., 'King Stephen and the Earl of Chester revised'. *English Historical Review*, lxxv, pp. 654-60. (In passing, comments on David I.)
- DICKINSON, W. C., 'Some Scandinavian influences in Scottish legal procedure?' *Arv*, xv, pp. 155-9.
- 'Surdit de Sergaunt'. *Scottish Historical Review*, xxxix, pp. 170-5.
- DONALDSON, G., '“Flitting Friday”, the Beggars' summons and Knox's sermon at Perth'. *Scottish Historical Review*, xxxix, pp. 175-6.
- 'Bishop Adam Bothwell and the Reformation in Orkney'. *Records of the Scottish Church History Society*, xiii, pp. 85-100.
- [DUNBLANE], 'Miscellanea Dunblanensia'. *Society of Friends of Dunblane Cathedral*, viii, pp. 69-78.
- DUNCAN, A. A. M., 'The earldom of Atholl in the thirteenth century'. *Scottish Genealogist*, vii(2), pp. 2-10.
- DUNLOP, A. I., 'In the footsteps of a medieval bishop'. *Alumnus Chronicle (University of St. Andrews)*, no. li, pp. 18-28. (Concerns sources for life of James Kennedy, Bishop of St. Andrews, 1440-65.)
- DUNNING, G. C., HODGES, H. W. M., and JOPE, E. M., 'Kirkcudbright Castle, its pottery and ironwork'. *Proceedings of the Society of Antiquaries of Scotland*, xci, pp. 117-38. (Discusses importation of French pottery in thirteenth-fourteenth centuries).
- DURKAN, J., 'Care of the Poor: pre-Reformation hospitals'. *Innes Review*, x, pp. 268-80.
- 'The cultural background in sixteenth century Scotland'. *Innes Review*, x, pp. 382-439.
- EMERY, R. W., 'A note on the Friars of the Sack'. *Speculum*, xxxv, pp. 591-5. (Gives a list of the convents of this order.)
- GABRIEL, A. L., 'Les étudiants étrangers à l'Université de Paris au XVe siècle'. *Annales de l'Université de Paris*, xxix, pp. 377-400. (Includes information about Scots.)
- GRAHAM, A., 'The battle of "Sauchieburn"'. *Scottish Historical Review*, xxxix, pp. 89-97.
- INNES, G. P., 'Ecclesiastical patronage . . . in Scotland in the later middle ages'. *Records of the Scottish Church History Society*, xiii, pp. 73-83.
- McKAY, D., 'Parish life in Scotland, 1500-1560'. *Innes Review*, x, pp. 237-67.
- MURRAY, A. L., 'Exchequer and Council in the reign of James V'. *Juridical Review*, NS v, pp. 209-25.
- 'The last chamberlain ayre'. *Scottish Historical Review*, xxxix, p. 85.
- 'The Crown lands in Galloway, 1455-1543'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 9-25. (Contains list of chamberlains of Galloway.)

- POWICKE, M. R., 'The English Commons in Scotland in 1322, and the deposition of Edward II'. *Speculum*, xxxv, pp. 556-62.
- RADFORD, C. A. R., and REID, R. C., 'Unthank, a manor of the Lovels'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 26-35.
- 'The site known as Africa'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 125-8. (Contains note on Affrice, lady of Dunscore, 1209 x 1227.)
- REID, R. C., 'The Scottish Avenals'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 70-8.
- REID, W. S., 'Sea-power in the Anglo-Scottish war, 1296-1328'. *Mariners Mirror*, xlv, pp. 7-23.
- ROSS, A., 'Reformation and Repression'. *Innes Review*, x, pp. 338-81.
- STONES, E. L. G., 'A new exemplar of Andrew de Tange's "Great Roll of Scotland" at Exeter Cathedral'. *Scottish Historical Review*, xxxix, pp. 86-7.
- WINNING, T., 'Church Councils in sixteenth century Scotland'. *Innes Review*, x, pp. 311-37.

III. 1560-1707

- BATHO, G. R., 'The execution of Mary, Queen of Scots'. *Scottish Historical Review*, xxxix, pp. 35-42.
- BULLOCH, J., 'Conformists and Nonconformists'. *Transactions of the East Lothian Antiquarian Society*, viii, pp. 70-84.
- BURNS, J. H., 'The political background of the Reformation, 1513-1625'. *Innes Review*, x, pp. 199-236.
- BURRELL, S. A., 'Calvinism, Capitalism and the middle classes'. *Journal of Modern History*, xxxii, pp. 129-41. (Examines the 'social origins of the civil war' in the light of seventeenth-century Scottish conditions.)
- CAMPBELL, C., 'Deportations from Scotland in 1685'. *New England Historical and Genealogical Register*, cxiv, pp. 150-51.
- C[LYDE], J. J., 'Green Tables'. *Scots Law Times (News)*, 1960, p. 6. (Note on origin of phrase used to describe Court of Session.)
- HAMMERMAYER, L., 'Neue Beiträge zur Geschichte des Schottenklosters St Jacob in Erfurt'. *Jahrbuch für das bistum Mainz*, viii, pp. 205-23. (Prints a list of the Abbots, including several Scots, from a document in Blairs College Archives.)
- IMRIE, J., 'Day book of James Cockburn, Treasurer of the Burgh of Haddington, 1574-75'. *Transactions of the East Lothian Antiquarian Society* viii, pp. 1-38.

- JOHNSTON, Major S. H. F., 'Letters of Samuel Noyes, Chaplain of the Royal Scots, 1703-4' (cont.). *Journal of the Society for Army Historical Research*, xxxvii, pp. 145-52.
- [LEIGHTON], 'Robert Leighton, his family and his Library'. *Society of Friends of Dunblane Cathedral*, viii, pp. 44-50.
- McFARLAND, H. S. N., 'The Book of Discipline'. *Aberdeen University Review*, xxxviii, pp. 246-8. (Discusses the part that deals with education.)
- MACINNES, J., 'Baptism in the Highlands'. *Records of the Scottish Church History Society*, xiii, pp. 1-24.
- McNEILL, P. G. B., 'Senators of the College of Justice, 1569-78'. *Juridical Review*, NS v, pp. 120-4. (Contains list of judges for these years, correcting and supplementing Brunton and Haig.)
- 'Sir James Balfour of Pittendreich'. *Juridical Review*, NS v, pp. 1-28.
- MAXWELL, T., 'Presbyterian and Episcopalian in 1688'. *Records of the Scottish Church History Society*, xiii, pp. 25-37.
- RAYNER, E., 'The Scots in Poland'. *Past and Future*, i(13), pp. 34-6.
- RITCHIE, J., 'James Henrysoun, "Chirurgian to the poore"'. *Medical History*, iv, pp. 70-9. (The career and work of a 'Medical Officer to the City of Edinburgh', late sixteenth century.)
- S[MITH], D. B., 'An old testament'. *Scots Law Times (News)*, 1960, pp. 61-2. (Note on, and transcription of, a confirmation of 1609.)
- SMOUT, T. C., 'Development and enterprise of Glasgow, 1556-1707'. *Scottish Journal of Political Economy*, vii, pp. 194-212.
- 'Scottish commercial factors in the Baltic at the end of the seventeenth century'. *Scottish Historical Review*, xxxix, pp. 122-8.
- 'The foreign trade of Dumfries and Kirkcudbright, 1672-1696'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 36-47.
- WEDGEWOOD, C. V., 'The Covenanters in the first civil war'. *Scottish Historical Review*, xxxix, pp. 1-15.
- [—], 'Borthwick Water Communicants, 1650'. *Transactions of the Harwick Archaeological Society*, 1959, pp. 19-26.

IV. 1707-Present Day

- ALLAN, D. A., 'John George Bartholomew'. *Scottish Geographical Magazine*, lxxvi, pp. 85-8. (Biography of the map-maker.)
- ANNAND, Major A. McK., 'Stewart of Appin's Regiment in the army of Prince Charles Edward'. *Journal of the Society for Army Historical Research*, xxxviii, pp. 15-29; reprinted in *The Stewarts*, xi, pp. 108-19.
- ASHRAF, M., 'Major-General James Dalrymple'. *Journal of the Society for Army Historical Research*, xxxviii, pp. 91-2.

- BEBBINGTON, W. G., 'Dr. James Lind'. *Notes and Queries*, vii, pp. 83-93. (Biographical sketch.)
- BECKERLEGGE, O. A., 'In search of forgotten Methodism'. *Proceedings of the Wesley Historical Society*, xxxii, pp. 109-13. (Early Methodist chapels in Scotland.)
- BELL, J. F., 'Adam Smith, Clubman', *Scottish Journal of Political Economy*, vii, pp. 108-17. (Scottish eighteenth-century club society.)
- BROWN, P. M., 'Garibaldi and the "City of Aberdeen"'. *Aberdeen University Review*, xxxviii, pp. 500-18. (Scotsmen and a Scottish paddle-steamer in Garibaldi's expedition, 1860.)
- BYERS, J., 'An old day-book'. *Transactions of the Hawick Archaeological Society*, 1959, pp. 14-18. (Liddesdale farming.)
- CAMPBELL, R., 'The industrial revolution and the Scottish countryside'. *Transactions of the Glasgow Archaeological Society*, NS xv(1), pp. 15-20.
- CARTER, J., 'William Ged and the invention of Stereotype'. *Library*, xv, pp. 161-92. (Printing in Edinburgh.)
- DAVIDSON, T., 'Animal treatment in eighteenth century Scotland'. *Scottish Studies*, iv, pp. 134-49.
- DOPSON, L., 'Edinburgh's "Shorter Hours" struggle, 1839'. *Chemist and Druggist*, 1960, pp. 544-5. (Working hours of druggists' assistants.)
- DOUGHTY, W. L., 'Stormy scenes in Aberdeen in 1816'. *Proceedings of the Wesley Historical Society*, xxxii, pp. 79-82. (A Methodist controversy.)
- DRUMMOND, C. G., 'Pharmacy in Scotland in 1859'. *Chemist and Druggist*, 10 November 1959, pp. 181-4.
- 'Bailldon's of Edinburgh, 1821-1958'. *Chemist and Druggist*, 9 September 1959, pp. 21-5.
- F[—], C. J., 'Honorary degrees (old style)'. *College Courant (Glasgow)*, xii, pp. 107-8. (A letter, 1767, requesting a Glasgow D.D.)
- FAIRHURST, H., 'Scottish Clachans'. *Scottish Geographical Magazine*, lxxvi, pp. 67-76.
- FETTER, F. W., 'Economic articles in "Blackwood's Edinburgh Magazine" and their authors'. *Scottish Journal of Political Economy*, vii, pp. 85-107, 213-31.
- FLEMING, J., 'An Italian Sketchbook by Robert Adam, Clérissseau and others'. *Connoisseur*, cxlvi, pp. 186-94.
- GAILEY, R. A., 'Settlement and population in Kintyre, 1750-1800'. *Scottish Geographical Magazine*, lxxvi, pp. 99-107.
- GASKIN, M., 'Anglo-Scottish banking conflicts, 1874-81'. *Economic History Review*, 2nd series xii, pp. 445-55.

- GREVILLE, M. D., and SPENCE, J., 'Closed passenger lines of Scottish railways' (cont.). *Journal of the Railway and Canal Historical Society*, v, pp. 52-8; list of errata, p. 99.
- HAMILTON, T., 'Local administration in Ayrshire, 1750-1800'. *Collections of the Ayrshire Archaeological and Natural History Society*, v (*Ayrshire at the time of Burns*), pp. 173-81.
- HART, H. W., 'Some notes on coach travel, 1750-1848'. *Journal of Transport History*, iv, pp. 146-60. (Contains a few statistics for Scotland.)
- KETELBEY, C. D. M., 'The History of Tullis Russell and Co., Ltd.' (cont.). *Rothmill Quarterly*, xxx, pp. 133-70, 203-35; xxxi, pp. 5-39. (History of the Fife paper-making firm, 1830-92.)
- KINNIBURGH, I. A. G., 'John Ainslie's map of Port Glasgow in 1806'. *Scottish Geographical Magazine*, lxxvi, pp. 23-4.
- 'Greenock'. *Scottish Geographical Magazine*, lxxvi, pp. 89-98. (Historical development of the harbours.)
- LAMB, J. A., 'Aids to Public Worship in Scotland, 1800-1850'. *Records of the Scottish Church History Society*, xiii, pp. 171-85.
- LEBON, J. H. G., 'The beginnings of the agrarian and industrial revolutions in Ayrshire'. *Collections of the Ayrshire Archaeological and Natural History Society*, v (*Ayrshire at the time of Burns*), pp. 150-72.
- LEVY, A., 'The origins of Scottish Jewry'. *Jewish Historical Society*, xix, pp. 129-62.
- LIDDLE, L. H., 'Northern "Saints" '. *Sea Breezes*, xxix (New Series), pp. 348-61, 426-43. (Establishment and growth of North of Scotland, Orkney and Shetland Shipping Co., Ltd., 1790-1960.)
- LIMOND, T., 'The roup of the lands of Alloway'. *Collections of the Ayrshire Archaeological and Natural History Society*, v (*Ayrshire at the time of Burns*), pp. 183-204.
- 'The enclosure of the town's common of Ayr'. *Collections of the Ayrshire Archaeological and Natural History Society*, v (*Ayrshire at the time of Burns*), pp. 205-10.
- LINDSAY, E. C. B., 'Electioneering in East Lothian, 1836-37'. *Transactions of the East Lothian Antiquarian Society*, viii, pp. 46-60. (Extracts from journal of marquess of Dalhousie.)
- LYALL, A., 'The case of Dr Memis v. The Managers of Aberdeen Royal Infirmary'. *Medical History*, iv, pp. 32-48. (A case in which James Boswell appeared.)
- MACMILLAN, D. S., 'The Scottish Australian Company, 1840-1850'. *Scottish Historical Review*, xxxix, pp. 16-30.
- MCNEILL, P. G. B., 'Stirling Peerage Case', *Juridical Review*, NS v, pp. 256-64.
- 'Habeas Corpus in Scotland'. *Scots Law Times (News)*, 1960, pp. 46-7. (Note on *habeas corpus* in post-1708 Exchequer and absence *eo homine* before then.)

- MACWHIRTER, A., 'Unitarianism in Scotland'. *Records of the Scottish Church History Society*, xiii, pp. 101-43.
- MATHIESON, N., 'The Governors [of the Isle of Man] during the Atholl Lordship, *Isle of Man Natural History and Antiquarian Society*, vi(1), pp. 46-63.
- MITCHELL, J. F., 'Burns' excise associates' (cont.). *Scottish Genealogist*, vi(2), pp. 1-7; vii(2), pp. 11-20.
- MOISLEY, H. A., 'Some Hebridean field systems'. *Gwerin*, iii, pp. 22-35.
- NICHOLAS, D., 'Mr Secretary Murray'. *The Stewarts*, xi, pp. 96-107.
- OGILVIE, R. M., 'The Prince's wanderings, 18th-20th July, 1746'. *The Stewarts*, xi, pp. 39-51.
- PATON, H. M., 'Some Secession pamphlets'. *Records of the Scottish Church History Society*, xiii, pp. 145-70.
- PATTERSON, A. W., 'The Fochabers Papers'. *Chemist and Druggist*, 1960, pp. 376-7. (MS. sources concerning the supply of medicines to northern Scotland, eighteenth century.)
- POYNTER, F. N. L., 'Thomas Anderson (1743/4-1819), Pioneer of vaccination in Scotland'. *Report of the Scottish Society of the History of Medicine*, 1959-60, pp. 12-21.
- REID, R. C., 'Corrie and Hutton documents'. *Transactions of the Dumfries and Galloway Natural History and Antiquarian Society*, xxxvii, pp. 169-70. (Two documents concerning a parish school and church repairs, 1728-89.)
- SCOTT, R. E., 'James Scott of Hawick'. *Transactions of the Hawick Archaeological Society*, 1959, pp. 32-42. (Sheep and cattle dealer.)
- SHEPPERSON, G., 'David Livingstone, the Scot'. *Scottish Historical Review*, xxxix, pp. 113-21.
- STRAWHORN, J., 'An introduction to Armstrongs' Map [of Ayrshire]'. *Collections of the Ayrshire Archaeological and Natural History Society*, v (*Ayrshire at the time of Burns*), pp. 232-55. (Eighteenth-century surveyors.)
- STUART, M. C., 'The keepers and guards of Falkland'. *The Stewarts*, xi, pp. 22-7.
- WATT, H., 'David Smyton and the Lifters'. *Records of the Scottish Church History Society*, xiii, pp. 38-63.
- WHEELER, P. T., 'Travelling vans and mobile shops in Sutherland'. *Scottish Geographical Magazine*, lxxvi, pp. 147-55. (Introductory passage on earlier methods of mobile trade.)
- [—], '"Fusion" Centenary Number'. *Aberdeen University Review*, xxxviii, pp. 305-491. (Biographies and memoirs of the staff of Aberdeen University from the Fusion of King's and Marischal Colleges in 1860 until 1960.)

V. *Auxiliary Studies.* (*Archaeology, genealogy, literature, topography, etc.*)

- APTED, M. R., 'Two painted ceilings from Mary Somerville's house, Burntisland'. *Proceedings of the Society of Antiquaries of Scotland*, xci, pp. 144-76.
- BERRY, C. L., 'Portraits of Clementine Walkinshaw'. *The Stewarts*, xi, pp. 6-13.
- CAMPBELL, C., 'Recent Campbell matriculations and grants'. *Scottish Genealogist*, vi(4), pp. 10-17; vii(1), pp. 7-16.
- 'Campbell of Craighnish: two documents'. *Scottish Genealogist*, vi(3), pp. 14-20.
- 'Arms of James I and VI and Anne of Denmark'. *Coat of Arms*, v, pp. 266-7.
- CAMPBELL, J. L., 'More notes on the MacNeils of Barra'. *Scottish Genealogist*, vi(4), pp. 8-10.
- CONLEY, W. M., 'Kilwhinlik in Bute'. *Scottish Historical Review*, xxxix, p. 87.
- DARWIN, K., 'The Ulster-Scot Historical Society, Belfast'. *Scottish Genealogist*, vii(4), pp. 3-7.
- DELARGY, J. H., 'Three Men of Islay'. *Scottish Studies*, iv, pp. 126-33. (Folk-tale collectors: J. F. Campbell, H. MacLean, L. MacNeill.)
- DONALDSON, G., 'Sources for Scottish agrarian history before the eighteenth century'. *Agricultural History Review*, viii, pp. 82-90.
- DUNBAR, J., 'Pitcastle, a cruck-framed house in Northern Perthshire'. *Scottish Studies*, iv, pp. 113-17.
- DURLING, R. J., 'Two unrecorded Edinburgh theses of 1676 and 1680.'. *Bibliothek*, ii, pp. 63-6.
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Notes and Comments

ACCESSIONS TO THE REGISTER HOUSE, 1960

*Collections marked * have been inventoried*

Lack of space until further accommodation is available allowed the acceptance of few deposits during 1960 beyond the regular statutory accessions of public records. No local authority records were transmitted; and family muniments accepted were either small in bulk or additions to collections already deposited.

PUBLIC RECORDS

The Ministry of Transport deposited the papers of the Caledonian and Crinan Canals Commissions, 1805-1921, and of the Highland Roads and Bridges Commission, 1810-63.

The General Assembly of the Church of Scotland added to their initial deposit (*ante*, xxxix, 169) the kirk session records of Ballingry (1669-1882), Carluke (1645-1750), Crossmichael (1735-1849), Drainie (1666-1832), Enzie (1836-97), Inverarity (1710-69), Kirkurd (1794-1878), Leith, St. John's (1872-1956), Liberton (1639-1891), Melrose (1690-1894), Muckairn (1775-1925), Ratho (1682-1722), Strichen (1827-52), Tranent (1773-1824), Unst (1720-1892), Walls and Sandness, Shetland (1735-1940). In addition there were added a volume (1776-87) of records of the General Associate Synod, and the following records of former Associate, United Presbyterian, Free Church, and United Free Church congregations: Bristo, Edinburgh (Associate, U.P., U.F., and C. of S.), 1741-1937; Enzie (Free), 1843-96; Ferryport-on-Craig (Associate, U.P.), 1809-99; Gallatown, Kirkcaldy (Free), 1857-94; Leslie (Associate, U.P., U.F.), 1739-1903; Leslie (Free, later Logan U.F.), 1843-1917; Leslie Trinity (U.P.), 1857-91; Muckairn (Free, U.F.), 1844-1931; Uyeasound, Shetland (Free, U.F., C. of S.), 1881-1938; Walls and Sandness, Shetland (Free, U.F.), 1897-1925.

Two more volumes of heritors' records were received: New Monkland, 1776-1846, and Paisley Abbey, 1785-1931.

Messrs John C. Brodie, Cuthbertson and Watson, W.S., deposited the minute book of Elgin and Forres Sheriff Court, 1656-60.

PRIVATE MUNIMENTS

The outstanding accession from a private owner was the register of the Priory of St. Andrews, 1144-1438, deposited on indefinite loan by the Earl of Dalhousie. This precious volume, lost to sight for ninety years, had come to light in an Edinburgh lawyer's office.

Additions were made to the following collections: Arbuthnot-Leslie of Warthill (19th century); Marquis of Lothian (20th century); Orr-Ewing (1522-1858); Carron Company (1753-1930)*. New collections deposited were: Campbell of Auchmannoch (1554-1894); Ross of Pitcalnie (1456-1760); Fraser papers, Aberdeenshire (1464-1762)*, Strowan papers, Perthshire (1407-1882). Among miscellaneous items were a list of Lanarkshire freeholders in 1718, papers relating to Midlothian roads in 1804-9, and transcripts, presented by Dr Hugh Marwick, of the *Rentale de Orcadia*, 1492, and the 'Uthell Buik' of Orkney, 1601.

INVENTORIES AND INDEXES

Inventories of the following collections deposited before 1960 have been completed: Earl of Airlie, 1161-64—20th century (8,906 items); Broughton and Cally, 1410-1924 (1,949 items); Dundas of Ochertyre, 1659-1909 (255 items); Earl of Morton, additional papers, 1520-1917 (handlist).

Detailed repertories have been completed of the Church of Scotland records mentioned above and of the Free, United Presbyterian, United Free, and other Church records transferred with them, together with subsequent accessions.

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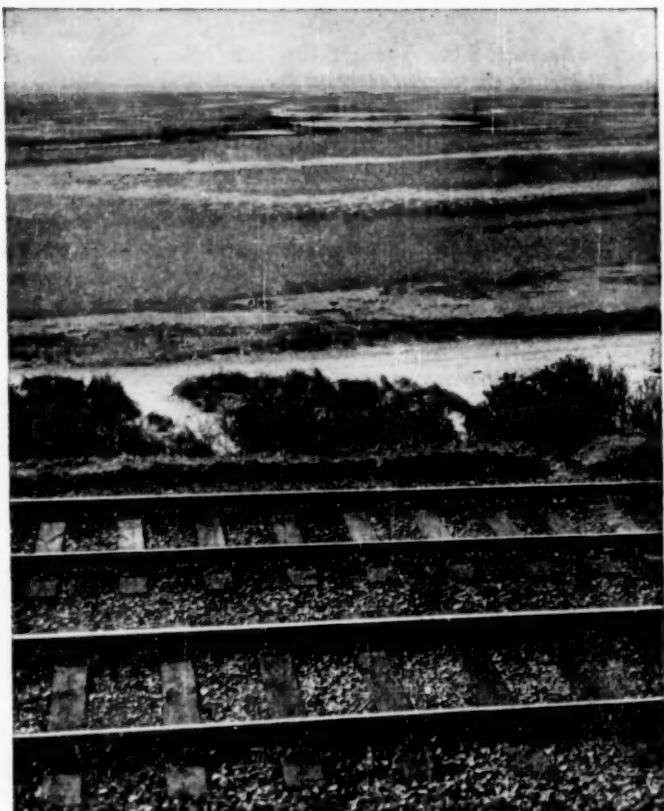
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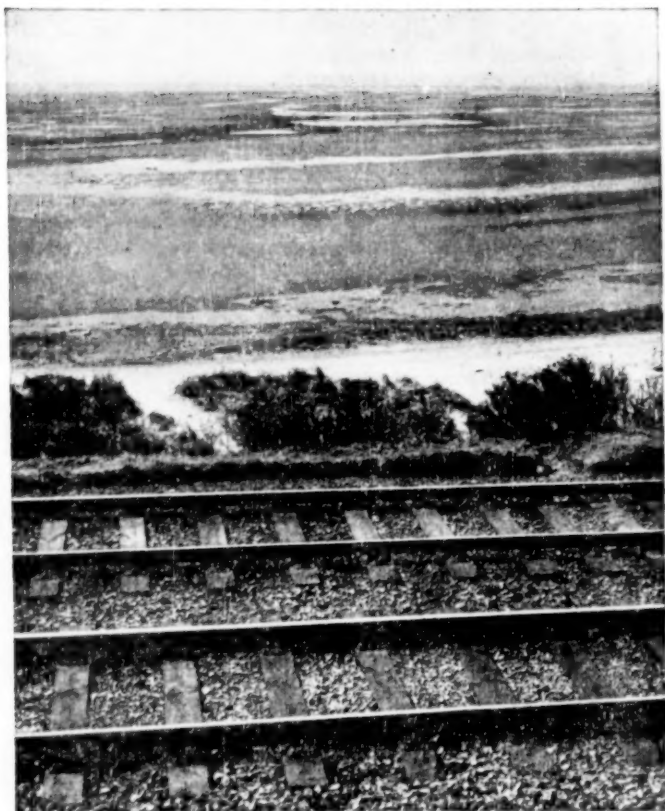
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